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The Birds & Bees

GORE VIDAL

Men and women *are* different. (Page 509)

End of Story

DAVID CORN

The dark world of Danny Casolaro. (Page 511)

EDITORIAL

JUDGING THOMAS

OCT 16

If Democrats in the Senate had been awake in the first place, it wouldn't have taken a charge of sexual harassment to force substantive debate over the personal character of Supreme Court nominee Clarence Thomas. By the time Professor Anita Hill went public with her allegation, the Senate already had ample evidence of Thomas's dubious credibility. Certainly it is important not to prejudge the harassment charge or to subordinate fair play to the passions of the moment. But there is plenty of evidence in the record of Thomas's contempt for women, from his malicious misrepresentation of his sister's brief resort to welfare to his participation in a 1980 Reagan transition team report calling for the gutting of sexual harassment regulations. Hill's charge is simply another reminder of the inextricable relationship of personal and public life.

To say that Hill touched a nerve is to understate the point. The events and images of last week—Barbara Boxer and her female colleagues in the House turned away from the Senate door; the voices of countless women suddenly moved to tell their own stories of harassment and abuse to call-in radio audiences; the insensitive bumbling by male senators caught with their political pants down—all suggested a watershed in American politics, one of those moments when the underlying structure of power is abruptly and unforgettably laid bare. The firestorm of outrage uniting women was at once a symptom of women's continued exclusion from the seats and councils of power, from neighborhood precincts to the

(*Cont. on p. 503*)

ON WALDEN POND
RICHARD LINGEMAN

WOMEN WARRIORS?
ANNETTE FUENTES

***SULLIVAN'S* TRAVELS**
MARTIN GARBUS

GEORGES SEURAT
ARTHUR C. DANTO

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LETTERS.

GRAVE DOUBTS

Stockton, Calif.
Congratulations on the fine article "Salinas Repeals the Revolution" by Joel Simon [June 24]. Simon sees unusually clearly through the ambiguities that lead so many commentators astray. To keep the historical record straight, however, I point out that Carranza did not order the assassination of Pancho Villa; in fact, Carranza predeceased Villa, who was assassinated only after planning to emerge from retirement and re-enter politics during the Obregón presidency. The circumstantial evidence implicating Obregón is pretty strong. Carranza may have been killed during the 1920 rebellion, against the orders of Obregón that he be taken alive. *Martin C. Needler*

SECTS-ISM?

Madison, Wis.
I was disturbed by David Corn's editorial "Believing Thomas" [Aug. 12/19]. Corn continues the spirit of Virginia Governor Douglas Wilder's bigoted comments about Clarence Thomas listening to the Pope. I thought this type of slur ended with the 1960 presidential campaign. Would you question whether an orthodox Jew or a goddess-worshiper would bring his or her religion into the Court? Also, Corn listened to tapes from the store in Thomas's church without knowing if he ever heard them. Isn't this more chilling to freedom of thought than inspecting the video rentals or library selections of public figures? *Dr. Elise Rose*

DRESSING DOWN

McLean, Va.
David Corn's editorial was a salutary reminder of the wisdom of Henrik Ibsen's saying, "One should never put on one's best trousers to go out to battle for freedom and truth." I was only a bit player in the cast of characters painted into a lurid right-wing corner, but if others were portrayed as falsely as I was, the record needs straightening.

My position on the Constitution is the exact opposite of what Corn stated and fits none of his careless stereotyping. Put briefly, my position is that the American republic simultaneously "depends on ultimate beliefs, for otherwise we have no right to the rights by which it thrives, yet rejects any official formulation of them. The republic will therefore always remain an 'undecided' experiment that stands or falls by the dynamism of its nonestablished faiths." These lines—later a part of the Williamsburg Charter, which was signed by two Supreme Court Chief Justices, among others—were written at the Brookings Institution, hardly a bastion of right-wing thought, where I served as a visiting fellow. Fortunately, as a European living in the United States I've learned to enter the culture wars wearing something other than my best trousers.

Dr. Os Guinness

CORN REPLIES

Washington
My visit to the charismatic Truro Church provoked a barrage of letters similar to Dr. Rose's. *Legal Times* criticized me for displaying "bigotry" by daring to write about the views promoted by the church that Thomas attends. It's a touchy subject, but the spiritual beliefs of a public official, which can tell us much about the person, should not always be off-limits. To take an extreme example, what if a nominee belonged to a sect that embraced a form of racism? Few would claim that irrelevant to determining his suitability for public office. In Thomas's case it is particularly appropriate to question his beliefs. President Bush promotes a man with a scant judicial record as worthy because of his life experience, in essence asking that he be judged not on his legal skills but on the ideas he has developed during his lifetime. One of those ideas, Thomas has declared, is the primacy of natural law. His church promulgates an extreme version of spiritual law. Is his conception of natural law affected by his beliefs about spiritual law?

As I noted, we don't know what Thomas accepts or rejects regarding the teachings of Truro Church. All we know is that he attends a fundamentalist church that is wary of religious pluralism, that says nonbelievers are in the clutches of Satan. Such views might influence an adherent's attitude about the rights of those not on his side in the daily, nonmetaphorical war between Christ and Lucifer. If Thomas believes that a lawyer who appears before him is manipulated by the Devil, could that prejudice his consideration of the case?

Yes, Dr. Rose, I would ask an orthodox Jew about his or her acceptance of certain tenets, such as those related to the roles of men and women in society, or an Islamic fundamentalist, perhaps, about what constitutes just punishment. Whether to question a Court nominee about spiritual matters depends on the extremism of the religion and its potential impact on someone who is charged with protecting the Constitution.

Regarding Guinness, let's put aside his fancy-pants quote and turn to the one at issue. Guinness, on a tape sold by Truro Church, discusses the "problem of constitutionalism." I interpreted his definition of the "problem" to be that the Constitution has no "transcendence," that is, it is not predicated on explicitly religious values. Here is the quote that I summarized. It follows a passage criticizing "much of the church" and "almost all of the culture" for being caught in a "suffocating secular circle."

> You can see the problem. It precisely goes back to the suffocation and silence of a world without windows turned in itself. There's no outside source of transcendence to reawake, revive, renew. . . . But you could equally transfer the same problem to the American Constitution. Isn't that the problem of constitutionalism today? Without a transcendental point of reference, the Constitution will go exactly the same way as the Marxists.

Draw your own conclusions. *David Corn*

HABEAS CORPUS

Warrensburg, Mo.
James S. Liebman's Aug. 26/Sept. 2 editorial "Lesson Unlearned," about recent curtailment of federal habeas corpus "full review" in death penalty cases, is marred by factual errors in his example of justice miscarried, the Leo Frank case. Frank was sentenced to death in Atlanta for the murder, not rape, of Mary Phagan, and contrary to Liebman's mention of "an innocent man's execution," the State of Georgia did not execute Frank. After the Supreme Court denied him habeas review, the Governor commuted Frank's sentence to life in prison. On August 16, 1915, twenty-five men kidnapped Frank from the prison farm and drove him 175 miles to Phagan's hometown, where early the next morning they lynched him by hanging. In 1986 Georgia posthumously pardoned Frank, citing "the state's failure to protect . . . Leo Frank and thereby preserve his opportunity for continued legal appeal of his conviction." *Harriet C. Frazier*

LIEBMAN REPLIES

New York City
Leo Frank was convicted of murder in the course of rape. The prosecution's claim that Frank, a Jew, was sexually deformed and perverted and that he violently raped the 14-year-old Christian victim fueled the hysteria surrounding the trial and undoubtedly influenced the jury's decision, which condemned an innocent man. Professor Frazier is correct that Frank was lynched. My manuscript referred to an innocent man's "death," but in the editorial process the word became "execution." In any event, Frank's chances of survival would have increased considerably had the Supreme Court issued a writ of habeas corpus rather than affirming what Justice Holmes accurately called "lynch law . . . practiced by a regularly drawn jury." *James S. Liebman*

NOW, BOYS . . .

Concord, Mass.
LISTEN HERE! About the Word War between Michael Klare and Alexander Cockburn ["Exchange," Oct. 7]: As a reader of *The Nation* for almost fifty years, I am asking you to stop this nonsense. You are both valuable to me, to *The Nation*, and to the nation—however much it doesn't know it. Your special type of investigative articles are invaluable—each of you. I have sent articles by each of you to my family and friends. They counter the dismal state of reporting in our rotting society. Don't let us down! Stop the War!

Clara R. Maslow

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EDITORIALS.

Judging Thomas

(*Continued From Front Cover*)

White House, and a reaction to the specific commonplace reality of the sexual indignities described by Anita Hill. No politician could escape taking sides, any more than politicians could escape when George Wallace stood in the schoolhouse door to proclaim "Segregation forever"; one hopes that in the 1992 election, Republicans and Democrats will be measured, in part, by their individual performances in last week's drama.

In an illuminating coincidence, Hill's charge hit the press the same day *The New York Times Magazine* profiled feminist legal scholar Catharine MacKinnon's influential efforts to force the law to define rape and harassment in a way that protects women, not their male assailants. There's no more vivid illustration of the nation's predilection for publicly trying the *victims* of sexual crimes and the low priority given such crimes than the Judiciary Committee's unanimous dismissal of Hill's complaint at first, followed by the uncorked hysterics of Senators Hatch, Simpson, DeConcini and Danforth as they attempted to discredit her.

Blame for last week's ignominious collapse of the Senate confirmation process rests squarely with the White House. George Bush and his advisers cynically nominated the ill-qualified Thomas and then coached him to dodge senators' reasonable questions, robbing the judge of whatever credibility he might have deserved. Instead of occasionally rising above narrow ideology to pick jurists of distinction—as Herbert Hoover did with Benjamin Cardozo and Eisenhower with William Brennan—Reagan and Bush have packed the Court with extremists and mediocrities to appease the right wing.

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Those senators who claim to favor progressive policies or who cherish the heritage of the Court should insist on a different agenda.

Whatever reforms in the process are needed, a return to the days of closed hearings and pro forma questioning, as recently suggested by senators on both sides of the aisle, surely isn't the answer. Indeed, the Thomas battle shows the need to add principled rigor to the confirmation process, not narrow it to a nod and handshake between the white men in the Senate and White House.

What finally galvanized public opinion was not so much the charge that Thomas behaved inappropriately as it was women's sudden awareness that an abstract debate over legal theory in fact involves the specific substance of day-to-day oppression. Thus ironically it was Thomas himself, backed up by the Capitol Hill Men's Club, who revealed the real beneficiaries of his nomination and of the philosophy of today's conservative Supreme Court majority.

Repentant Abrams

When we last heard from Elliott Abrams he and Gen. Paul Gorman, the retired head of the Army's Southern Command in Panama, were cooking up a scheme to use blimps to extract precious mahogany logs from the otherwise impenetrable rain forest of Honduras to sell to the Japanese. Their business contacts in Honduras—the base of U.S. operations against the Sandinista government in neighboring Nicaragua—were the same fellows Abrams developed to further his covert wars and political subversions during the Reagan years. Abrams told *Time*, "I'm making lots of money. It's great."

Now Abrams, who ran the *contra* war from his position as Assistant Secretary of State for Inter-American Affairs, is back in the woods, but it's not so great. Five years after the fact, he pleaded guilty to two misdemeanor charges of withholding information from Congress about his role in funding the *contras* after the Boland amendment was supposed to end U.S. aid. What Abrams did and shamelessly denied was to cadge petrodollars from the oil-rich sheiks of Brunei for the needy pillagers and assassins of Reagan's mercenary army holed up in their Honduran bases. He also denied U.S. officials had solicited contributions from Saudi Arabia to the *contra* cause.

Many in Washington who were the targets of his arrogance would be happy to see Abrams spend the rest of his life in jail, perhaps a jungle gulag near his endangered timberlands. It is expected he will get off with a minimal sentence in return for ratting on his partners in deception within the Reagan Administration.

Abrams's mild comeuppance delivers a certain poetic justice to a man who once insisted he never lied and predicted he would never be indicted. But it hardly makes a tear in the fabric of lies, crimes and betrayals that was Iran/*contra*. And because justice was not done, in Congress or the courts, such profoundly antidemocratic practices could happen again—and probably are.

On Walden Pond

One of the most widely quoted phrases Henry David Thoreau ever wrote is "in wildness is the preservation of the world." It originally appeared in "Walking," published in the June 1862 issue of *The Atlantic Monthly*.

Although Thoreau ceased contributing to the magazine when its first editor, James Russell Lowell, censored a sentence from another of his essays, he sent several essays to Lowell's successor, James Fields, which were published after his death, in 1862. Certainly he was one of the founding spirits of the magazine, in 1857, along with Emerson and other leading lights of the New England literary renaissance.

Given this tradition one might have thought that the present publisher of *The Atlantic* would be the last person to stand in the way of the preservation of the patch of wildness Thoreau knew best and about which he wrote his greatest book.

But no. In 1985 said publisher, real estate magnate Mort Zuckerman, took possession of a bit of hallowed ground 700 yards from Walden Pond, and now a group of preservationists and environmentalists is trying to reclaim it for the public. This is not the first time Zuckerman has aroused the ire of such people with his projects. In the 1970s there was the tower complex he wanted to build near Boston Public Garden; in the 1980s it was the Manhattan mega-skyscraper he planned to erect whose massive shadow would have plunged part of Central Park into artificial gloom daily.

His latest shadow on the land is a proposed three-story office building on an 18.5-acre parcel near Concord, located within the historically and ecologically defined area known as Walden Woods. Zuckerman was a principal in a limited partnership created by his company, Boston Properties, which purchased for $3.1 million a piece of land on which is located Brister's Hill, which figures in *Walden*, and Brister's Spring, where the Sage got his drinking water. It abuts the lane down which Emerson, Hawthorne and other Transcendental tourists strolled when they came to visit Henry in his cabin.

The office site is part of the 40 percent of Walden Woods still in private hands. A group called the Walden Woods Project was founded in 1990 by rock musician Don Henley to purchase this remaining land, in order to keep it forever wild. The project has so far secured fifty acres of land that had been slated for development. But its drive to save the area came to a temporary halt when it collided with Zuckerman & Co. Not that the owners aren't willing to deal; it's just that they want to recover costs. Ed Linde, president of Boston Properties, told *The Washington Post* that there are now more than $8 million worth, including architectural and engineering work, legal expenses and carrying costs. All that for empty land, with not a trace of any building, which was recently appraised at $2.8 million.

Naturally, suspicions have arisen among the preservationists that the owners are trying to cover their anticipated loss—indeed reap a tidy windfall—by selling to the one group that really wants the land. After all, the Walden Woods Project lists a galaxy of presumably rich celebrities on its letterhead,

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garners a steady flow of donations from school kids and nice old ladies all over the country and can expect some revenues from fundraising concerts by Henley and friends like Bonnie Raitt, Sting and Billy Joel, as well as from a recently published book called *Heaven Is Under Our Feet*, a collection of testimonials by entertainers, writers, politicians and conservationists.

Last month, upset by the brickbats raining on him, Zuckerman announced he had sold his interest in the parcel to a party he refused to name, to protect him or her from future flak. He also charged that Henley "consistently has misstated the facts" and issued an itemized refutation of said misstatements to Michael Thomas, novelist and *New York Observer* columnist, who, identifying himself as a friend of Zuckerman's, summarized them in the spirit of fair play.

Zuckerman's rejoinder asserts, among other things, most of them trivial, that the site of his contemplated building is now a gravel pit and that it is separated from the pond by a dump, a tourist parking lot, a trailer park and Route 2. Kathi Anderson, executive director of the Walden Woods Project, comments that the gravel is actually the natural surface of glacial land after it has been denuded of trees and topsoil; it is now regenerating, as Thoreau, who studied forest regeneration on Brister's Hill, would have predicted. The dump is being reclaimed; the trailer park is on the way out.

But the condition of the land is beside the point, Anderson says. Zuckerman's implication that "just because land is badly damaged it should not be saved is ludicrous. You have to draw a line somewhere when you have a site of historical value. You have to say, Look, if you let this office project go ahead then you open the floodgates for other developers who are interested in Walden Woods."

Zuckerman has been accused of making his share of misstatements. Henley and others suspect that the anonymous person to whom he sold his interest in the partnership is none other than Ed Linde. Linde says that is "completely false" and that the buyer "has no relationship to me or to Boston Properties." Anderson says, "Frankly, it doesn't matter whom Zuckerman sold it to. Linde still owns the majority of the property. We deal with Boston Properties. Zuckerman is chairman of the board. He has control over how the land in question is disposed of."

Linde has rejected an offer from the Trust for Public Land, which acts for the Walden Woods Project, buying up land to take it off the market, then reselling it to the project when it has raised sufficient funds. The trust's offer consists of an alternative (larger) site plus a "cash incentive," which Anderson would not describe. She says that the Walden Woods Project will stand pat, preferring not to use its hard-raised money to subsidize a developer's losses. Linde told *Nation* intern Elizabeth Ely that he has "no asking price" and is "seeking to cooperate" with the Walden Woods Project to effect a transfer of the land.

Thoreau, who earned a living as a surveyor, might be said to have been in the real estate game himself. But his greatness was as a literary surveyor, one who mapped in homespun, incantatory prose a Walden Woods bounded by the reaches of his imagination, who consecrated and immortalized a patch of ground, making it a sacred synecdoche for the wildness of earth. As Emerson said in his eulogy to his friend (published in *The Atlantic Monthly*), Thoreau's genius, his talent for divining the universal in the particular, was strengthened by his deep roots in Concord and its environs:

> I think his fancy for referring everything to the meridian of Concord . . . was a playful expression of his conviction of the indifferency of all places, and that the best place for each is where he stands. He expressed it once in this wise: "I think nothing is to be hoped from you, if this bit of mold under your feet is not sweeter to you to eat than any other in the world or in any world."

The land where Thoreau stood was sweet to him, and so should it be to us, his literary heirs.

In the *Atlantic* essay, following "in wildness is the preservation of the world," come words that are less known, but worth quoting: "Every tree sends its fiber forth in search of the wild. The cities import it at any price. Men plough and sail for it. From the forest and wilderness come the tonics and barks which brace mankind."

How oddly prophetic those words seem. Literally so, in that scientists these days are scouring woods and fields for "tonics and barks"—natural medicines that have a potential for saving lives. Figuratively, in that wildness is dwindling, and the earth grows sicker because of this. The endangered species whose extinction diminishes the universal gene pool, the rain forests and wetlands whose disappearance endangers all species on the planet, represent the wildness in which our salvation urgently lies. Thoreau also wrote in his *Atlantic* essay, "A town is saved, not more by the righteous men in it than by the woods and swamps that surround it."

RICHARD LINDMAN

COMING UP

Eric Hobsbawm on the explosion of nationalism
Phyllis Bennis on the Palestine National Council
Liane Clorfene Casten on hazardous-waste burning

★

On The Banking Practices Of Members Of The House

These legislators have a gift.
The greatest of their talents is
To change the Constitution so
It now reads "checks, no balances."

Calvin Trillin

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BEAT THE DEVIL.

A Man Who Can Write This Can Write Anything

"The only reason for the United States to push aggressively to restore President Aristide is because his is the youngest democracy in the hemisphere and the last link in a chain of democratic governments Washington has been trying to nurture next door for the last 20 years."

This was Thomas Friedman in *The New York Times* for October 4. *Democratic governments . . . trying to nurture . . . last 20 years.* It takes a truly exalted order of Pavlovian brown-nosing of state power to turn out this sort of stuff: El Salvador, Honduras, Guatemala, Nicaragua, Chile, finish the list yourself. Some experts say this is the single most despicable sentence Friedman has ever published. You be the judge.

Nuclear Spring

It was bracing to see President Bush draw solemn praise for his decision to bring down the B-52s from their active alert status, crews ready to reduce the Soviet Union to a smoldering, irradiated ruin at a moment's notice. How many congratulations does a Commander in Chief deserve for diminishing the chances of incinerating millions of innocent people, for conceding that the justification for "mutual assured destruction" could no longer be taken seriously by anyone outside nuthouses like RAND or Paul Nitze's study? Nitze, one of the prime architects of cold war rollback, announced in the *Los Angeles Times* for October 3 that he regretted the decision "to have our strategic bombers stand down from their alert posture. This will mean that our entire bomber force will be vulnerable to a Soviet surprise attack." Will this man ever get a calm night's sleep?

There was a good deal of editorial congratulation for Bush's disarmament program as promulgated on September 27, but in truth only a press brainwashed by decades of propaganda for the crazed theorems of "deterrence" would have regarded his proposals as anything but timid and reluctant steps made under the duress of reality.

Take the unilateral U.S. withdrawal, pending their decommissioning and destruction, of all ground-launched short-range nuclear weapons. These have been aimed at forward Soviet deployments in Eastern Europe that no longer exist. Who needs nukes aimed at a bunch of Hungarian economists studying the works of Milton Friedman? (Actually, come to think of it . . .)

The new short-range nuclear attack missile contracted to Boeing is also on the chopping block. This program is already mired in vast cost overruns, for which Boeing will no longer have to answer, while collecting a hefty cancellation fee. The rail-garrison MX missile killed by the President had been zeroed out by the Senate days earlier.

Big money programs were left intact. The B-2 Stealth bomber, the Sea Wolf submarine, Star Wars and the C-17 transport plane will all continue their assigned function, which of course has nothing to do with the entirely nonexistent Soviet threat and almost everything to do with helping to stabilize the U.S. economy, which has been underpinned by military spending since 1938, when the approach of World War II bailed President Roosevelt out of the New Deal's failure to fix the economy.

The C-17 Air Force transport nicely illustrates the proposition. When fully loaded it is unable to fly from the east coast of the United States to the Azores. On the other hand its prime contractor is the beleaguered McDonnell-Douglas, which would be sorely afflicted by a cancellation. Defense Secretary Dick Cheney let the cat out of the bag on this one with a wonderful error in his September 28 press briefing when he hailed the capacity of the B-2 bomber to "haul a large payroll . . . a large payload . . . little slip there."

In line with this defense-in-depth of military expenditure Gen. Colin Powell is talking about "maintaining a base for reconstruction" (i.e., keeping as much as we can today, against the chance that we might need it tomorrow), and the Pentagon is being promised "breakouts from the baseline." Through what are called the merged surplus and M accounts, otherwise known as the Lazarus fund (because the money constantly comes back from the dead), the Pentagon will be able to hang on to billions in appropriated funds whose application will be open-ended in time.

Bush most emphatically did not announce that the United States would impose a moratorium on testing nuclear weapons such as the Soviet Union unilaterally adopted for a substantial period in the mid-1980s. This R&D is what propels the whole system forward, and Bush's omission tells us all we need to know.

The Merchant of Hot Air

Gorbachev's response eight days later was also hailed as a worthy reply to the U.S. initiative. It should be seen less flatteringly as a risible effort to sustain the illusion that the entity once known as the Soviet Union has any convincing status as a negotiating power. Gorbachev, desperate to present himself as a figure of consequence, seized on the Bush program as a souvenir of more glorious times, when he was treated as a leader who counted for something in the world. Cheney cut into this posturing brutally when, a few days after Bush's speech, he said that it was hard to lend money to nations that had thousands of nuclear missiles pointed at one, and that Gorbachev should jump to.

The Russians promptly ate crow, disarming with one hand and rattling their begging bowl with the other. Gorbachev even announced another unilateral suspension of testing, which—in contrast with the last suspension, which was variously ignored in the U.S. state-influenced press or treated as a ruse—was greeted as a fine thing for Russians but not for the United States. Nitze, in the column cited above, wrote strongly against any comprehensive test ban: "As long as we rely on nuclear weapons for our ultimate deterrent

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ALEXANDER COCKBURN

of war . . . we must do sufficient testing to maintain that confidence."

Amid these initiatives the arms control industry—think tanks, associations, pressure groups, lobbyists and so forth—sprang into action, relapsing happily into dronespeak about force levels, platforms, downsizing and the other verbal impedimenta of their trade. Once again, it's necessary to try to escape the brainwashing effect of nearly half a century of cold war.

It's true that the propositions behind N.S.C. 68, presented in April 1950 (before the Korean War) by Nitze with input from such Democratic economists as Leon Keyserling, have borne fruit. The implicit plan was (a) to sustain the flagging U.S. economy by military Keynesianism, and (b) to involve the Soviet Union in an arms race which would abort the latter's chances for the construction of a stable peacetime economy and lead to rollback.

Through the 1950s the Soviet Union held back on military spending, and, at the time when the electioneering Jack Kennedy was belaboring the missile gap on campaign platforms across America, had just four nuclear missiles in its inventory. Open skies and satellite spying ended the Soviet Union's ability to be just a paper tiger, and in the 1960s it launched its arms race. Lacking the excess capacity of the U.S. economy (the premise for military Keynesianism), the Soviet economy began to slow.

So from the U.S. point of view the arms race had a coherent logic, to which can be added the incontestable truth that the U.S. nuclear arsenal was a security umbrella for the day-to-day, year-to-year business of suppressing opposition or recalcitrance in the Third World. But even within the terms of this logic numbers have always been meaningless. Even if Gorbachev were to announce—and George Bush were to reciprocate—that the Soviet Union would retain only fifty intercontinental missiles, the premises of deterrence would remain what they were when each side had 30,000 or 50,000 nuclear devices. Even one nuclear submarine on each side would leave the ethic of mutual assured destruction intact. Only one was ever needed.

Israel has understood this well enough. In their new book *Dangerous Liaison* Andrew and Leslie Cockburn (my brother and sister-in-law) disclose that Israel has long been including Soviet cities in its nuclear targeting plan. Israel's arsenal—rarely regarded as a fit topic for discussion in the U.S. press—is far below the most utopian nuclear force levels ever aspired to by arms controllers in the United States and Soviet Union, but Israel still has the capacity to start World War III or threaten to.

They Were Wrong

No opportunity should be missed at the present juncture to emphasize how ludicrously mistaken the threat inflators have been over the past fifteen or sixteen years, since the post-Vietnam push for increased military spending began (Nitze in the vanguard) in the mid-1970s. Thousands of "scholars," "defense analysts," "consultants" and "experts," rent-a-quote analysts massed at *Aviation Week, Jane's*, the International Institute for Strategic Studies, the Center for Strategic and International Studies, Hoover, Heritage, etc., etc., grew fat by monotonously reiterating preposterous claims about Soviet might and intention.

In this context Robert Gates has got somewhat of a bum rap as the rogue who unwontedly twisted intelligence data to fit the political desires of his bosses. Actually he showed a certain reverence for objective fact by trying to persuade the analysts in the C.I.A. to change their assessments to conform with those desires. His predecessors simply ignored the analysts altogether. (When Bush was Director of Central Intelligence in the mid-1970s and found the political establishment demanding a more alarmist vision of the Soviet Union, he shunted the regular C.I.A. analysts aside and created "Team B," a group of unusually demented cold warriors such as Richard Pipes.) Misrepresentation for political reasons is endemic to the "intelligence" process and has been since the establishment of the intelligence apparat at the end of World War II. Furthermore, the C.I.A. was always ineffective in Soviet data-collection and analysis, since this sector remained firmly under the control of the military agencies. The C.I.A.'s purview has always been the Third World.

It's astonishing how this reality is systematically ignored. Not so long ago Phillip Knightley had a review of Tom Mangold's book about James Angleton in the *London Review of Books* in which he claimed that Angleton's own dementia (prompted by his "betrayal" by Kim Philby, according to Knightley's review) had "paralysed" the C.I.A. through the sixties and early seventies. Only a blinkered view of the cold war as an affair taking place between the United States and the Soviet Union would have caused Knightley to overlook the fact that in this period the C.I.A. didn't do too badly at all, engineering successful coups in such countries as Indonesia and Chile, prompting the arrest and imprisonment of Nelson Mandela, accomplishing the murder of Patrice Lumumba, assisting Israel's launching of the 1967 war and in many similar and diverse ways manning the ramparts of empire. Meanwhile, the espionage writers remained fixated on the bipolar conflict. The real horrors were going on elsewhere, just as they are now in the unipolar era of the New World Order.

Footnote: Since I'm in the business of family credits this week I should mention that much of the detail about Robert Gates's career—as set out in my column two weeks ago—was provided by Laura Flanders (my niece), who reported the Gates hearings over Pacifica Radio. Laura also claims that when Gates was a child he boiled a cat. It seems he didn't throw a live pussy into the vat but dropped in pussy's corpse, which makes him a liberal, I suppose.

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BELTWAY BANDITS.

DAVID CORN

■ The Evil Abstraction

For decades the C.I.A. "approached the Soviet Union as a kind of abstraction—the enemy, a nuclear threat, the moral antithesis. We hadn't really approached it as a society. And therefore, I think we were really not ready . . . to deal with the reactions when finally the lid did come up." This revealing estimate was not produced by one of the agency analysts who came forward during the Robert Gates confirmation hearings to charge that Gates forced intelligence reports to conform to a tough anti-Soviet line. Rather, it was provided by Douglas MacEachin, a Gates loyalist who headed the C.I.A.'s Office of Soviet Analysis in the 1980s. For days, witnesses, members of the Senate Intelligence Committee and Gates himself quarreled about the intelligence-production process at the agency. Two former analysts credibly maintained that Gates blocked reports that challenged the hardline view and that he promoted shoddy intelligence that supported the Russians-are-coming position, such as a paper that argued that the Soviet Union backed the 1981 assassination attempt against the Pope.

The hearings disclosed that within the C.I.A., analysts who strayed from the reigning dogma worried about being labeled Communist apologists. Despite this repressive atmosphere, the agency sometimes did produce material inconvenient for the Soviet-bashers of the Reagan Administration that never informed public debate. According to MacEachin, just when President Reagan was urging Congress to fund a new chemical weapons program, C.I.A. analysts reported that the Russians were unlikely to initiate chemical weapons use in a war against NATO. MacEachin also noted that the C.I.A. found that Soviet military spending in the early 1980s was leveling off—a notion contrary to the dire warnings issued by Defense Secretary Caspar Weinberger and others. Harold Ford, a senior analyst, testified that a 1981 national intelligence estimate, much to Director William Casey's chagrin, said that there was no proof that Moscow was masterminding terrorism around the world. Lawrence Gershwin, another Gates defender in the C.I.A., divulged that one Reagan-era estimate concluding that Soviet missiles were not as accurate as previously thought "caused a lot of grief" since it implied a "reduced Soviet threat."

The real politicization, though, is evidenced in the agency's cast-in-concrete, overarching conception of the Soviet Union as an immutable (and somewhat evil) empire. In March 1986, Senator Bill Bradley asked Gates whether the C.I.A. was examining the prospects for fundamental change in the Soviet Union. Gates said there was no hint that any such transformation was occurring and that "my resources do not permit me to idly speculate." After Bradley mentioned this at the confirmation hearings, some clerk at Langley dug up a memo written by Gates in October 1986 that noted that the agency might be overlooking "significant change" in the Soviet Union. But when Bradley then asked Gates what he had done to insure that C.I.A. reports detected such change, Gates could not recall taking any steps. And a month after penning that 1986 memo, Gates delivered a blistering speech accusing Moscow of plotting to obtain control of the oilfields of the Middle East, Panama and the canal, and the mineral wealth of Southern Africa. In response to Bradley at the recent hearings, he admitted that he had no data to back up those "personal views." Moreover, MacEachin recalled that "we never looked at the Soviet Union as a political entity" with internal elements that could spur wide reform. Had such a view existed, he confessed, "we never would have been able to publish it."

The real sins of Gates & Company were a lack of imagination and a profound attachment to career-boosting assumptions—which, by the way, provided the justification for the spending of billions on troops and weapons that now have little use.

■ Trust But Verify

Complicit in this costly intellectual crime are the supposed overseers in Congress. Most telling was the way senators responded to the allegations of politicization. For some, it seemed as if they were considering the issue for the very first time. Throughout the hearings, David Boren, the windbag chair, pontificated about the relationship of trust established in recent years between the committee and the C.I.A. But not all members are confident they are fully informed of the agency's doings. Dennis DeConcini dares to confirm the obvious: "Committees get captured by the agency they oversee. You spend so much time with them, you start believing them. You start defending them." When he and Howard Metzenbaum inquired into the rent the agency intends to pay for a few new buildings, their effort to obtain that less-than-sensitive information turned into a battle royal. What should be done to improve oversight? "You need new independent leadership," says Metzenbaum, without mentioning Boren.

The Gates hearings demonstrate that there is no good reason to exempt the agency from routine public scrutiny. With pride, Boren noted that the Gates sessions marked the only instances of the committee examining intelligence budget priorities and the analytical process out in the open. But why could they not have been discussed before? Life-and-death secrets were not revealed. Only intelligence estimates of the past were revealed, allowing citizens the opportunity to judge just how well their taxes are being used. Certainly, open hearings can be structured to examine at least the generalities of the agency's performance. Perhaps Congress should hold annual public appropriations hearings for the agency.

But secrecy remains reflexive. For example, discussion of whether Gates knew about intelligence intercepts of conversations between members of Congress and Sandinista officials was referred to a closed-door session. And not all senators were pleased to see the agency probed in front of television cameras. Outside the hearing room, Warrren Rudman, with his usual bluster, roared that "a lot of people will be very happy with these hearings and none of them are America's friends." Who these enemies are—those who rub their hands in glee as the agency's efficacy is evaluated—the good Senator did not say. They remain an abstraction.

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ARTICLES.

A FEW WORDS ABOUT SEX

The Birds And the Bees

GORE VIDAL

Recently, while assembling forty years of bookchat, I noted with some alarm—even guilt—that I had never really explained sex. True, I have demonstrated that sex is politics and I have noted that the dumb neologisms, homo-sexual and hetero-sexual, are adjectives that describe acts but never people. Even so, I haven't spelled the whole thing out. So now, before reading skills further atrophy, let me set the record straight, as it were.

First, the bad news: Men and women are *not* alike. They have different sexual roles to perform. Despite the best efforts of theologians and philosophers to disguise our condition, there is no point to us, or to any species, except proliferation and survival. This is hardly glamorous, and so to give Meaning to Life, we have invented some of the most bizarre religions that . . . alas, we have nothing to compare ourselves to. We are biped mammals filled with red sea water (reminder of our oceanic origin), and we exist to reproduce until we are eventually done in by the planet's changing weather or a stray meteor.

Men and women are dispensable carriers, respectively, of seeds and eggs; programmed to mate and die, mate and die, mate and die. One can see why "love" was invented by some artist who found depressing the dull mechanics of our mindless mission to be fruitful and multiply.

Apparently, the first human societies were tribal—extended families. Then the prenuclear family was invented. Skygods were put in place—jealous ones, too. The monotheistic religions from which we continue to suffer are fiercely grounded on the only fact that we can be certain of: Man plus Woman equals Baby. This, for many, is *the* Natural Law. Inevitably, if unnaturally, natural lawyers thought up marriage and monogamy and then, faced with the actual nature of the male and the female, they created numerous sexual taboos in order to keep the population in line so that the senior partners in the earthly firm could keep the rest of us busy building expensive pyramids to the glory of the Great Lawyer in the Sky.

But as a certain Viennese novelist and classics buff, Sigmund ("It's all in the vagina, dear") Freud, noted, all those fierce do's and don'ts have created discontents, not to mention asthma and date rape. In fact, everything that the Book (from which comes Judaism, Christianity, Islam) has to say about sex is wrong. Of course, practically everything the Book has to say about everything else, including real estate, is wrong too, but today's lesson is sex.

The male's function is to shoot semen as often as possible into as many women (or attractive surrogates) as possible, while the female's function is to be shot briefly by a male in order to fertilize an egg, which she will lay nine months later. Although there is nothing anywhere in the male psyche that finds monogamy natural or normal (the scientific search for monogamous, exclusively heterosexual mammals has been sadly given up, while our feathery friends—those loving doves, too—have let the natural lawyers down), the monogamous concept is drilled into the male's head from birth because, in the absence of those original tribal support systems that we discarded for the Book, someone must help the woman during gravidity and the early years of baby rearing.

If one starts with the anatomical difference, which even a patriarchal Viennese novelist was able to see was destiny, then one begins to understand why men and women don't get on very well within marriage, or indeed in any exclusive sort of long-range sexual relationship. *He* is designed to make as many babies as possible with as many different women as he can get his hands on, while *she* is designed to take time off from her busy schedule as astronaut and role model to lay an egg and bring up the result. Male and female are on different sexual tracks, and that cannot be changed by the Book or any book. Since all our natural instincts are carefully perverted from birth, it is no wonder that we tend to be, if not all of us serial killers, killers of our own true nature.

Five and a half billion people now clutter a small planet built for two.

It is a fact that, like any species, our only function is replication. It is a fact that even the dullest and most superstitious of us now suspects that we may have overdone the replicating. Five and a half billion people now clutter a small planet built for two. Simply to maintain the breeders in the United States we have managed to poison all our water. Yes, *all* of it. When I was told this by a member of the Sierra Club, I asked, so what do we drink? And he said, well, some of it's less poisoned than the rest. Despite the fulminations of the Sky Lawyer's earthly representatives, some effort is being made to limit population. But the true damage is already done, and I would not bet the farm on our species continuing in rude health too far into the next century. Those who would outlaw abortion, contraception and same-sex while extolling the family and breeding are themselves the active agents of the destruction of our species. I would be angrier if I had a high opinion of the species, but I don't, and so I regard with serenity Pope and Ayatollah as the somehow preprogrammed agents of our demise, the fate of every species. Hordes of furious lemmings are loose among us; and who would stay them, particularly if they have the Book to throw?

But while we are still here, I suggest a change in attitude

Gore Vidal's United States: Essays 1951–1991 *will be published by Random House in 1992.*

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among those few capable of rational thought. Let us accept the demonstrable fact that the male has no exclusive object in his desire to shoot. Instead of hysteria, when he wants to shoot with another shootist, he should be encouraged in an activity that will not add another consumer to the population. The woman who decides not to lay that egg should be encouraged, if so minded, to mate with another woman. As it is, a considerable portion of the population, despite horrendous persecution, does just that, and they should be considered benefactors by everyone, while the breeders must be discouraged though, of course, not persecuted.

The Day America Told the Truth is a recent book in which a cross section of the population expressed its ignorance on many issues and confessed to some of its most dreadful deeds and reveries. Since 91 percent of the population admit to telling lies habitually, I can't think why the authors should take too seriously the lies new-minted for them; but then lies often illustrate inadvertent truths. A majority of men and women like oral sex (as the passive partner, presumably). Next in popularity was sex with a famous person. Plainly being blown by George or Barbara Bush would be the ultimate trip for our huddled masses.

Although the authors list twenty-three sexual fantasies (such as sex in a public—pubic?—place), they do not ask about same-sex fantasies, which tells us where they are, as we say in pollster land, coming from. But in what people do do, they report that 17 percent of the men and 11 percent of the women practice same-sex. This strikes me as low—even mendacious. It is true that in the age of AIDS both sexes are very nervous about same-sex or even other-sex, but not, surely, in experimental youth. In the prewar Southern town of Washington, D.C., it was common for boys to have sex with one another. It was called "messing around," and it was no big deal. If the boy became a man who kept on messing around, it was thought a bit queer—sexual exclusivity *is* odd and suggests obsession—but no big deal as long as he kept it quiet. If he didn't, our natural lawyers would do their best to deprive him of his inalienable rights. In any case, I don't think the folks have changed all that much since 1948, when 37 percent of the men told Dr. Kinsey that they had messed around in those years.

ILLUSTRATIONS BY LEE EDWARD WOLF

Certainly, women today are more candid about their preference for other women. Although this "preference" has been noted for millenniums, it was thought by shootists to be simply a coming together of two unhappy wives for mutual solace. Instead, there seems to have been a strong sexual element all along. But then a pair of egg-layers will have more in common (including a common genetic programming for nurturing) than they will ever have with a shootist, who wants to move on the second he's done his planting—no nurturing for him, no warm, mature, caring relationship. He isn't built for it. His teats may have a perky charm but they are not connected to a dairy. He can fake a caring relationship, of course, but at great cost to his own nature, not to mention battered wife and abused little ones. The fact that couples may live together harmoniously for decades is indeed a fact, but such relationships are demonstrations not of sexuality but of human comity—I dare not use the word "love," because the 91 percent who habitually lie do so about love.

Unfortunately, the propaganda to conform is unrelenting. In a charming fable of a movie, *Moonstruck*, a middle-aged woman discovers that her husband is having an affair with another woman. As the wife is a loving, caring, warm, mature person in love with her husband, why on earth would he stray from her ancient body, which is ever-ready to receive his even greater wreck of a biped? Why do men chase women? Why do they want more than one woman? She asks everyone in sight and no one can think of an answer until she herself does: *Men fear death*, she says—something that, apparently, women never do. Confronted with this profound insight, the husband stops seeing the other woman. Whether or not he loses the fear of death is unclear. This is really loony. It is true that sex/death are complementary: No sex, no birth for the unlucky nonamoeba; once born, death—that's our ticket. Meanwhile, fire at will.

When people were few and the environment was hostile, it is understandable that we should have put together a Book about a Skygod that we had created in our own image—a breathtaking bit of solipsism, but why not? The notion is comforting, and there were no Book reviewers at the time of publication, while later ones, if they wrote bad Book reviews, were regularly condemned to death by natural lawyers employing earthly hit men, as Salman Rushdie can testify. Then our Skygod told us to multiply in a world that he had put together just for us, with dominion over every living thing. Hence the solemn wrecking of a planet that, in time, will do to us what we have done to it.

Meanwhile, "the heterosexual dictatorship," to use Isherwood's irritable phrase, goes on its merry way, adding unwanted children to a dusty planet while persecuting the virtuous nonbreeders. Actually, the percentage of the population that

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is deeply enthusiastic about other-sex is probably not much larger than those exclusively devoted to same-sex—something like 10 percent in either case. The remaining 80 percent does this, does that, does nothing; settles into an acceptable if dull social role where the husband dreams of Barbara Bush while pounding the old wife, who lies there, eyes shut, dreaming of Barbara too. Yes, the whole thing is a perfect mess, but my conscience is clear. I have just done something more rare than people suspect—stated the obvious. □

END OF STORY

The Dark World of Danny Casolaro

DAVID CORN

Danny Casolaro lived and died in a bizarre world of conspiracy. On August 10, the 44-year-old writer's body was discovered naked in a bathtub in Room 517 of the Sheraton hotel in Martinsburg, West Virginia, sixty miles from Washington. His wrists had been slashed ten to twelve times. The local police, who found no signs of struggle or forced entry, at first thought they had just another suicide on their hands.

Casolaro's friends and family are not so sure. For more than a year, Casolaro had been pursuing some favorite stories of investigative journalists: the October Surprise allegations that the Reagan-Bush campaign cut a deal in 1980 with Iranians to delay the release of hostages; the Bank of Credit and Commerce International (B.C.C.I.) scandal; and the Inslaw case, in which a small computer software firm has claimed—and some courts have confirmed—that the Justice Department swiped a valuable software program it developed. Casolaro, who had little experience as an investigative reporter, hoped to unearth links between these and other scandals, such as the Iran/*contra* affair. He was chasing a grand unified conspiracy he dubbed the Octopus, run by about eight men and dating back to the 1950s. His goal, he wrote in a proposal for a book to be called *Behold, A Pale Horse*, was to expose an international cabal made up of "thugs and thieves who roam the earth with their weapons and their murders, trading dope and dirty money for the secrets of the temple." His death came during a trip to see a person whom he described to others as a new, significant source. But Casolaro seems not to have told anyone who that source was or what breakthrough he believed he was nearing.

Given the nature of his endeavors, his family and associates found his death particularly suspicious. Casolaro had even said to his brother Tony, a medical doctor, that if anything happened to him that looked like an accident, not to believe it. He told friends he had received threatening phone calls, and his housekeeper confirmed this. In the weeks before his death, Casolaro, an irrepressible fellow who had written a novel and published newsletters on computers, appeared upbeat. He informed friends that he was close to obtaining a book contract. He was excited about this new source of his. He had several trips planned for the coming months. One law enforcement official who spoke with him a few days before his death says that Casolaro appeared "too anxious, too eager, to do himself in."

To family and friends, convinced that suicide was not in his nature, there were more troubling concrete aspects of the death itself. Tony Casolaro points out that no papers were found in the hotel room or in Casolaro's car (apparently he always carted files around with him); an autopsy discovered an antidepressant in his blood and urine (his brother the doctor says no such drug was prescribed for Casolaro); an X-Acto blade found in the bathtub is not sold locally (which could mean that unless Casolaro came to Martinsburg to kill himself, someone else did); and a briefcase of Casolaro's may be missing. There are, Casolaro says, some hard-to-explain phone calls. The day after Casolaro's body was found, *Village Voice* editor Dan Bischoff received an anonymous call; the voice on the other end reported that a journalist named Casolaro was found dead in West Virginia, that he had been working on the October Surprise story and that this should be scrutinized. Since Casolaro's death did not become widely known until the next day, when the Martinsburg police finally notified his family, the source of the caller's knowledge is a mystery. Tony Casolaro says an F.B.I. agent informed him that a similar call was received by a bureau office in New York.

These anomalies do not add up to a conclusive case for murder. Perhaps Casolaro was disappointed. He reportedly did meet with someone at his hotel. Did his big source turn out to be a bust? Did he throw out his own papers in disgust? Were they stolen for some other reason? He told people a book deal was pending, but a review of his papers, notes and drafts of his book proposal indicates that he did not yet have a coherent story or the proof that most publishers would demand. No publisher has come forward to say that it was about to sign him up. He had money problems—but then so do most freelance writers. A *Washington Post* article about his final days focused on his prodigious consumption of alcohol. The autopsy showed he had developed multiple sclerosis; he might have known about it. The Martinsburg police are still investigating.

What had Casolaro found, if anything? That's the essential question. For if he was murdered, presumably it was because he had discovered some dangerous information. There are few obvious clues in the papers he left behind—old clippings, some documents, hard-to-decipher handwritten notes full of names of former C.I.A. officers, arms dealers and others who have surfaced in various intelligence-related scandals. There are plenty of telephone numbers; his bills show that he spent hours on the phone. But there are hardly any notes from his interviews.

The impression all this leaves is of someone who was in over his head but who was tenacious. Those who worked with Casolaro described him as a bit of a noodge, an enthusiast utterly dedicated to his project. His papers—including some draft narratives written in overly dramatic, purplish prose—indicate that he approached his subject matter more as a novelist than a reporter. For someone who devoted a year to his

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investigation, he had not uncovered a lot of new material.

Casolaro had, though, developed ties with some strange, and perhaps dangerous, characters. His entry point was the Inslaw case, and through it he met Michael Riconosciuto, a shadowy 44-year-old mad-scientist sort who since March has been in jail in Washington State on drug charges. Since 1983 Inslaw has been battling the Justice Department in the courts, charging that the department stole from it $6 million worth of software used to help prosecutors track cases. In 1988 a federal bankruptcy judge ruled that Edwin Meese's Justice Department filched the software "by trickery, fraud and deceit." That decision was affirmed by a federal district court in 1989 but was reversed by an appeals court a few months ago. Meanwhile, the House Judiciary Committee has been examining the matter.

But there's more to the Inslaw story than merely an alleged swindle. Inslaw's owners have suggested that the Justice Department officials appropriated their product for a number of unusual reasons: to give it to Earl Brian, a businessman and Meese crony who served in Governor Ronald Reagan's Cabinet in California, as a reward for Brian's supposed help in the October Surprise; to raise off-the-books money for covert actions; or to turn it over to the National Security Agency for marketing to foreign intelligence services.

What prompted William and Nancy Hamilton, Inslaw's co-owners, to connect their personal nightmare with the October Surprise was a phone call from Riconosciuto on May 18, 1990. Riconosciuto asserted that he and Brian had traveled to Iran in 1980 and paid $40 million to Iranian officials to persuade them not to let the hostages go before the presidential election. For two and a half hours, he went on telling similar tales. He claimed to have been involved with weapons development and that in the early 1980s he engaged in C.I.A.-financed work as part of a joint weapons-manufacturing venture between the Wackenhut Corporation, a security company partially run by former intelligence and military officials, and the Cabazon Indian Reservation in the Southern California desert. He maintained that he was now being hounded by the federal government and that he possessed a secretly recorded tape of a meeting he attended with then-Director of Central Intelligence William Casey in 1983.

Hamilton began to check on Riconosciuto. To others Riconosciuto had revealed that he had equipped Awacs aircraft destined for Saudi Arabia with sophisticated radar technology proscribed by Congress. Riconosciuto does have a high-tech background. When he was in high school he was something of a scientific prodigy and even worked for a while in the Stanford University laboratory of Arthur Schawlow, who would win a Nobel Prize in 1981 for work on laser technology. Hamilton learned that in the 1980s Riconosciuto had been trying to develop a type of bomb that could generate the force of an atomic blast with conventional explosives, and that, as president of a small R&D company, he reportedly had invented a new miniaturized power-supply technology. Hamilton discovered that Wackenhut had indeed entered into the venture with the Cabazons to produce arms and equipment on their remote and sovereign territory for U.S. agencies and that Riconosciuto was somehow part of the project. (In a not-too-strange twist of fate, Casey was outside counsel to Wackenhut before he became Director of Central Intelligence.) Hamilton also found that Riconosciuto, the high-tech genius, had been arrested years earlier for illegal drug manufacturing.

On March 21 Riconosciuto submitted an affidavit in the Inslaw case claiming that when he worked on the Wackenhut-Cabazon project, he was given a copy of the Inslaw software by Earl Brian for modification. He also swore that Peter Videnieks, a Justice Department official associated with the Inslaw contract, had visited the Wackenhut-Cabazon project with Brian and that Videnieks had called Riconosciuto in February and said that if Riconosciuto cooperated with a Congressional inquiry into the Inslaw controversy, he could expect legal trouble. Lawyers for Brian and Videnieks denied the allegations contained in the affidavit, as well as similar charges contained in affidavits submitted by two other men, who claimed to be former spooks with inside dope on the Inslaw case. Eight days after signing his affidavit, Riconosciuto was again arrested, this time for allegedly distributing methamphetamine.

Casolaro's investigation of the Inslaw case brought him to Riconosciuto's doorstep. He visited the boy genius/drug dealer/weapons expert in jail. Riconosciuto told him he had a tape recording of Videnieks's purported threat. But he never gave it to Casolaro. Still, the two talked often. Riconosciuto is a good and fast talker, seemingly intelligent and quite crafty. In rapid-fire delivery he shoots out information—some of it incredible. There does not seem to be a national security scandal of which he does not possess firsthand knowledge. He says he was involved in wire transfers of the shady Nugan Hand bank, which was set up in Australia in the 1970s by people with connections to the C.I.A. He maintains he has inside information about Gerald Bull, the arms dealer who traded with

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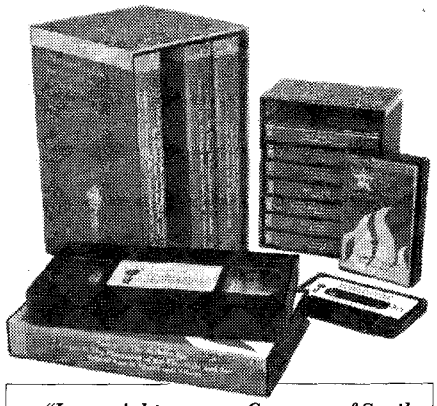

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South Africa, designed a supergun (a kind of gigantic cannon) and was killed, execution style, last year in Brussels. Casolaro intended to include Riconosciuto in his book under the melodramatic sobriquet "Danger Man."

Riconosciuto's allegations are hard to swallow. He generally does not produce the evidence he says he has that would confirm the more outlandish portions of his story. In an interview, he suggested that Casolaro's death was connected to the writer's inquiry into Riconosciuto's allegations. He also said that Anson Ng, a journalist recently killed in Guatemala, had been investigating an episode involving Riconosciuto and the Cabazon reservation. Riconosciuto said he had letters to that effect, but he didn't provide the letters. Ng's family believes that Anson was working on the B.C.C.I. scandal.

As Riconosciuto tells it, all scandals overlap, and he is in the midst of most of them. (He is receiving assistance from Ted Gunderson, a former F.B.I. agent who is convinced that satanic cults are rampant and part of a complicated network that includes drug traffickers, kiddie-porn rings and paramilitary and intelligence-related operatives.) It's difficult to figure out whether Riconosciuto is on the side of the Octopus or struggling against it. It's equally tough to distinguish his facts from fiction. He is a familiar type to journalists who cover national security scandals: the spook defector, someone who has worked in the field of intelligence or weapons dealing and then leaves. He arrives with the details of his own story, but often they are intricately intertwined with secondhand or thirdhand material he has collected from other spooks or even from journalists or, perhaps, made up. Casolaro, according to his own papers, did not accept all that Riconosciuto spewed. But he was drawn to the conspiracies Riconosciuto spun and possibly was seduced a little too much by his yarns. "I was giving him a road map," Riconosciuto declares. If so, that would make for a tortuous trip.

One stop on that road map was Robert Nichols. People who have met Nichols describe him as a James Bond type: Clark Gable handsome, mysterious, proficient with guns and a constant traveler who jets all over the world trading arms and other products. According to legal records, Nichols runs Meridian International Logistics, a California-based company that does extensive business overseas, especially in Australia and Japan; engages in innovative medical research; markets low-cost earth removal systems; and owns 100 percent of Meridian Arms Corporation. Out of the Wackenhut-Cabazon endeavor grew a business partnership between Nichols and Riconosciuto. The two, according to documents and correspondence of a business associate, expected to develop technologies useful for pesticides, fertilizer and some very dangerous weapons. Nichols's company, according to this correspondence, was formed in the 1970s to develop a submachine gun that could be produced at a unit cost of $50 or less in the Philippines, Korea, Taiwan and other developing nations. But the company apparently ran into difficulties when the State Department decided it was not such a good idea to export this technology. The Nichols-Riconosciuto venture had hoped to start production of this weapon in Australia in 1983. In 1984, Nichols noted in a letter that they were also trying to create "enhanced gaseous fuel devices"—tremendously powerful explosives that, like a nuclear blast, would produce an electromagnetic pulse that could wipe out an enemy's communications and electronics.

Nichols and Riconosciuto had a falling-out in 1984, Riconosciuto asserts, and have not spoken since. But the secretive Nichols chatted with Casolaro frequently. Casolaro's July phone bill shows that he called Nichols fifteen times, often in the wee hours of the morning. Several of those conversations lasted for more than two hours. The two spent time together in the Washington, D.C., area. Casolaro's papers do not contain any notes indicating what they discussed. His brother Tony says that, according to Casolaro, Nichols would never disclose the specifics of his current business deals. According to one person who regularly spoke with Casolaro, Casolaro said that Nichols had told him about a building in Georgetown where unusual activities were occurring and that he (Casolaro) was eager to stake it out. Casolaro mentioned the building to his brother but never said what he expected to find there, nor did he ever tell his brother whether he visited it.

Casolaro met with queer coincidences that would feed anyone's paranoia.

Danny Casolaro told both his brother and Bill Hamilton that Nichols had warned him that his investigations were risky. Casolaro, who described Nichols as a thug who acted like a gentleman, was puzzled by Nichols's admonition, his brother recalls; he could not determine whether Nichols was sincerely cautioning him or subtly dispensing a threat. Nichols, after Casolaro's death, called Tony, expressed his condolences and observed that Casolaro had truly taken a liking to him.

There is no evidence that Casolaro's curious relationship with Nichols in and of itself imperiled the writer, but if the F.B.I. is right, Nichols is not a man whose warnings should be taken lightly. He is currently suing Thomas Gates, an F.B.I. agent who accused him of being involved in a $500 million fraud and of maintaining ties to the Gambino crime family and organized crime in Japan. According to a deposition filed by Gates, the bureau suspected Nichols of conspiring with known organized-crime figures to commit stock fraud. Gates's deposition was part of a 1987 request to place a wiretap on the phone of Eugene Giaquinto, an official of the M.C.A. entertainment corporation with reputed mob links. Nichols was one of the people whose calls the bureau expected to intercept. According to the wiretap application, F.B.I. investigative files indicated that in 1978 Nichols was "allegedly an international money launderer for money generated through narcotics trafficking and organized crime activities." The wiretap request—a copy of which was part of Casolaro's papers—suggested that Nichols was plotting with Giaquinto and may have been involved in "some type of covert activity." Nichols did not respond to several messages requesting an interview

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for this article. Riconosciuto claims that Nichols was using Casolaro to keep track of him—Riconosciuto. But anything Riconosciuto says must be taken with a salt mine.

While conducting his researches, Casolaro met with queer coincidences that would feed anyone's paranoia. At a restaurant he ran into a former Special Forces operative who had worked for a company involved in the Inslaw case; he was also a good friend of Peter Videnieks (a prime target of Casolaro's investigation) and graciously offered to try to set up a rendezvous between Casolaro and Videnieks shortly before Casolaro died. That Casolaro should just happen to bump into someone like that—someone who offered to be so helpful—spooked his brother and friends. On another occasion, a woman at a party befriended Casolaro and a pal, insisted that she leave with them and accompanied them back to Casolaro's house, where she talked knowingly about some aspects of Casolaro's investigation. She also revealed that she was close to a former C.I.A. official whom Casolaro believed was connected to his mythical Octopus. Casolaro and his friend were both unnerved by this supposedly chance meeting.

Like any good investigative reporter, Casolaro sucked up information from everywhere—and with it a lot of garbage. His notes show that he was influenced by the silly "secret team" theory of the Christic Institute. He also chased down material fed to him by a reporter who works for Lyndon LaRouche, the grandmaster of conspiracy theories. He regularly called a computer junk dealer in Kentucky who slyly hints that he is well wired in intelligence circles. Casolaro's papers contain plenty of material from Richard Brenneke, a discredited arms dealer who claimed to have participated in the supposed October Surprise scheme. One of the last persons to see Casolaro alive in Martinsburg—a whistleblower who had worked for a military contractor—was recently arrested for robbing a bank in Virginia.

The story of Danny Casolaro is, at this point, a frustrating one. The suicide explanation is unsatisfying but not wholly implausible; the possibility of murder is intriguing but the evidence to date is not overwhelming. If anyone did eliminate him, it probably was not because Casolaro was about to confirm the ultimate conspiracy or even had achieved a major find in the areas in which he was digging. It may be that as he stumbled along the pathway of conspiracy he overturned one stone that threatened somebody in a very particular way. So far, several journalists who have tried to trace Casolaro's steps have not come up with any information that strongly supports or disproves the murder theory. (Two news organizations are now going through his phone records and supposedly calling everyone whom Casolaro phoned in the last year of his life.) Elliot Richardson, the eminently respectable former Attorney General, who represents Inslaw, has called for the appointment of a special counsel to look into Casolaro's death. A thorough investigation is warranted, but that job might be too big for the Martinsburg police. Although some F.B.I. agents have expressed an interest in the death, currently there is no official bureau probe.

"It is a pale moon that illuminates the characters in this story," Casolaro wrote. "With chords of fear and longing, it

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is a dark world that everyone thinks they know but few have seen." The cosmos of Riconosciuto, Wackenhut, the Cabazon reservation, Nichols and so on is a Twin Peaks universe. The schemes are wild, the inhabitants odd, the risks high, the trade deadly, the truth elusive and uncertain. Danny Casolaro plunged into this sinister territory a year ago and for reasons yet unknown did not come out. □

WOMEN WARRIORS?

Equality, Yes—Militarism, No

ANNETTE FUENTES

What had been unthinkable twenty years ago and unattainable ten years ago—the full integration of women into the voluntary service—is now on the horizon. On July 31, the Senate struck a blow for women's equality in the armed services when it voted to eliminate regulations that prohibited women in the Air Force and Navy from flying combat missions. The House had done the same in May. The forces fighting for women's equal opportunity seem to have scored a major, if mostly symbolic, victory at a time when women's rights are being sledgehammered by state legislatures, the courts and the Bush Administration. It's a victory, that is, if you consider elimination of combat exclusions an unadulterated feminist achievement.

In 1980, feminists of various stripes publicly wrestled with the question of women's relationship to the military. A case before the Supreme Court, *Rostker v. Goldberg*, filed by a men's veterans group, challenged the constitutionality of a male-only draft. *Rostker* was championed by the National Organization for Women. NOW and its president at the time, Eleanor Smeal, were criticized by many peace activists and antimilitarist feminists for their stance.

This time around, NOW is still advocating the equal opportunity position on women and the military, as are many other national women's legal and policy organizations. But the voices of feminists who consider combat inclusion a dubious advance have been muted. The sole debate has been between conservative types who think G.I. Jane will sabotage male bonding on the frontlines, and the equal rights advocates who argue that dropping all barriers to women in the military is not only fair, it contributes to military preparedness.

"The only thing exclusion protects is men's jobs," said Patricia Ireland, executive vice president of NOW. "It limits the services' ability to put the best people in the jobs." When pressed, she acknowledged NOW's pacifist philosophy, but said that "women need to be in all the powerful institutions in society. As long as the military and Congress remain men's clubs, women's perspective is excluded and public policy is worse for it."

The gulf war provided the main impetus to Congress's action. "Obviously, as a result of Operation Desert Storm, attention has been focused on the 1948 laws restricting women in the military," says Carolyn Becraft, a former Army officer who works for Women's Research and Education Institute. "The gulf war showed women in combat." Indeed, the 35,000 women deployed in the Persian Gulf were front and center in press coverage of that military action. Eleven women died in the war, five in combat. Two women were taken prisoner. Who could deny that women had proved their mettle and deserved all the opportunities men get in the armed forces?

Certainly not the U.S. public. A *Newsweek* poll taken during the war found that 63 percent of respondents approved of having women pilots, 53 percent said women should have combat assignments if they want them and 50 percent believed any future draft should include women. The Pentagon has been testing the waters of public opinion regarding women in combat situations since the 1983 invasion of Grenada. Press censorship in that operation was so impenetrable that no images of the 170 women soldiers sent to the island leaked out.

Panama was next, and the public got a closer look at 800 women who were getting a closer look at combat. Still, the military was sensitive to coverage of their participation. One wire story reported that two women drivers refused to ferry troops into Panama City during heavy fighting. But, in an expert display of damage control, public affairs officers exonerated the drivers in a statement that was attached to a release about two female helicopter pilots who received medals of valor.

By contrast, the coverage of Desert Storm was a red, white and blue tribute to women soldiers. When a Scud missile destroyed a U.S. barracks in Saudi Arabia, killing twenty-eight, including two women, it also seemed to smash old definitions of frontline and combat zones. Predictions that Americans couldn't tolerate women coming home in body bags were exploded, too. A majority of them apparently don't care about keeping women out of harm's way anymore.

From the Pentagon's perspective, the use of women in the services is "a labor issue," says Linda De Pauw, a historian and founder of The Minerva Center on women and the military in Arlington, Virginia. "What's driving the extended use of women is military need, especially in the modern army. Military work has become increasingly technological." Expanding the role of the growing number of female soldiers "fits in with the idea of Workforce 2000 [the Hudson Institute's phrase for the work force of the future], which is increasingly women and minority," she says. "Smart managers see they can't be bigots. It's counterproductive."

In fact, women of color make up 38 percent of all women (officers and enlisted) in the services; black women alone are 30 percent. In the Army, women of color are 55 percent of all enlisted women; black women are 47 percent. "The military has always provided equal opportunity. In that way, it is way ahead of the civilian sector," says Becraft. The reten-

Annette Fuentes is a New York–based writer and chair of the Institute for Puerto Rican Policy.

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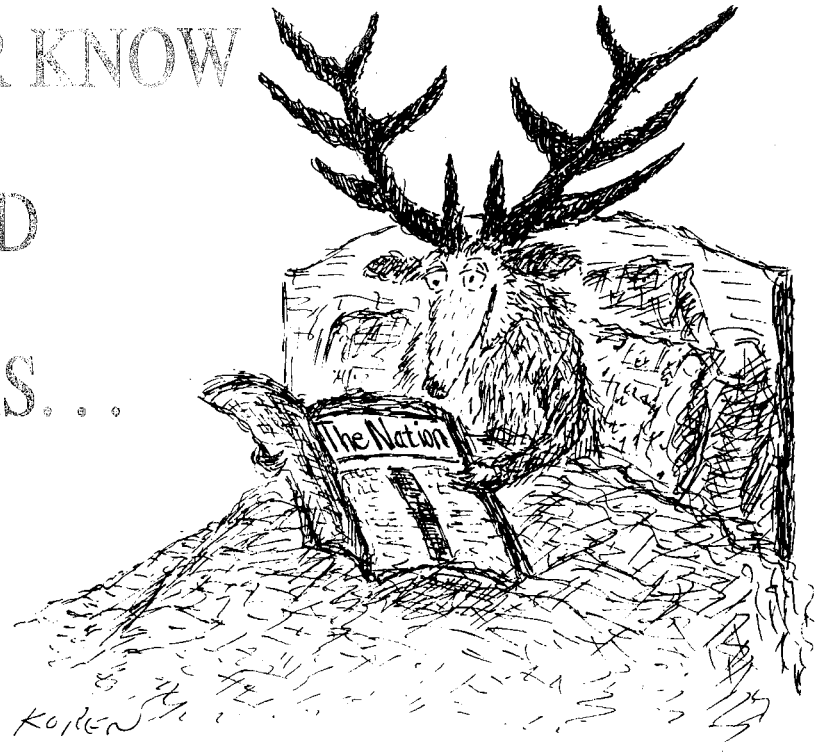

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tention of black women is very high, she says, because they have fewer opportunities in civilian life than black men.

Nonetheless, women of color aren't getting their fair share of the best jobs and highest ranks. Minority women are 41 percent of all enlisted women, yet only 19 percent of women officers. Statistics on the U.S. Army in Europe reveal that women of color occupy 50 percent of the lowest-ranking and lowest-paid jobs in the military. In Germany, for example, they are 51 percent of all women soldiers and 3.5 percent of officers; three times as many white women are officers.

Rank is a primary factor in the discussions of combat restrictions. The women pilots who want access to combat missions are officers whose promotions and career paths are blocked without combat-related jobs. Just 324 women pilots in the Air Force and 248 in the Navy would immediately benefit from the legislative changes. The remaining statutory obstacles to women entering combat assignments are in the Navy and Marine Corps, which prohibit women from serving on ships on combat missions. In the Army, policy, not law, bars women from jobs considered to involve direct combat.

So the fight to end combat exclusions is driven from above. "It's absolutely true that officers are more supportive of repealing combat exclusions than enlisted," says Becraft. "Enlisted women are like blue-collar workers in their career progression. I don't think they want to be in the infantry." And who can blame them? A person might see the movie *Top Gun* and want to fly like Tom Cruise. But has anyone walked out of *Platoon* and signed up to be a grunt?

Although existing physical standards would exclude most women from ground combat roles should the Army change its policies, Phyllis Schlafly and other conservatives have harped on the image of women in muddy trenches to fire up the debate. The temptation to rebut their views and the choic-

est sexist statements emanating from old-timers at the Pentagon is certainly great. In June Gen. Robert Barrow told a Senate subcommittee addressing women and combat that "I may be old-fashioned, but I think the very nature of women disqualifies them from doing it. Women give life, sustain life, nurture life. They do not take it."

There was a time when feminists would make the very same argument and challenge the very existence of the military as well. But "women's groups have been dealing with multicultural and multiracial organizing," says Sara Lee Hamilton, director of the Nationwide Women's Program of the American Friends Service Committee. "There's been less energy in the movement left over to oppose militarism." Without a broader context into which to place the issue, some feminists have decided to go mano-a-mano with the boys, duking it out on their turf. "I see the issue of repealing combat exclusions as commensurate with improving military readiness," says Michele Beneke, a former air defense officer and legal intern for the American Civil Liberties Union who was liaison to the Gay and Lesbian Military Freedom Project. "I also see it as a citizenship issue. In American society, military service is a hallmark of citizenship. Women won't be full citizens until they can serve in any [every] capacity in the military." Proponents of this position say you've got to separate the nasty things the U.S. military actually does from its role as public employer. "You can be against the way the military is used and still say the structure should work with equal opportunity," says De Pauw. "The apparatus of the military is neutral. You can use the hierarchical organization for different things. The planet needs a lot of work. We could use armies to clean up toxic wastes."

Considering that the military is responsible for some of the worst toxic waste sites, such an idea is ironic to Cynthia Enloe, Clark University professor of government and author of *Bananas, Beaches and Bases*. Enloe says, "What gets left out of the discussion is the very issue of militarism. The way the military is discussed makes it look like *General Hospital*. I'm dismayed that NOW hasn't articulated a position around militarism."

"If it took this long to get women into combat, how long will it take to get everyone out?" asks theologian Mary Hunt, co-director of the Women's Alliance for Theology, Ethics and Ritual in Silver Spring, Maryland. "The issue is to be able to name those advances for women that aren't really feminist. Is the nomination of Judge Clarence Thomas really a civil rights achievement?" Hunt sees the issue of equal opportunity in the military as an example of what progressives face in the 1990s. "We're seeing cosmetic solutions, not substantive change. The advances are really retreats. And it requires the complicity of groups who seek to improve the lot of their members."

Advocates of women in the military frequently draw an analogy to black history and civil rights struggles. Black men faced barriers to integration just as women do today, they say, and there is less racism in the services than in the civilian world. "African-Americans seek heroes. Even people who think we shouldn't have been in the Persian Gulf look at Colin Powell with awe," says Barbara Omolade, counselor at the Center for Worker Education at the City College in New York.

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"People have always said black people can't fight. So we join the Army to prove it. That same thrust has picked up around women. But blacks have not found true equality through military service. And having Powell at the top won't change foreign policy."

One pillar of the equal-opportunity argument is the concept of the "new, improved Army": one that does good deeds, like delivering humanitarian aid to the Kurds. Forget that the U.S. Army helped make them refugees in the first place. It's the military of a new generation of men and women developing "a new type of relationship . . . a nurturing relationship based upon respect, based on sharing the same hardships," in the words of Carol Barkalow, an Army captain and author of *In the Men's House*. Becraft says it's a less hierarchical military in which "young people have more similar value systems, are more willing to value difference—a multicultural work force."

This touchy-feely rhetoric implies that women soldiers will humanize a brutal male domain. Today's soldiers, like the Teenage Mutant Ninja Turtles of cartoon fame, will become warriors for peace. Of course, the idea of a downsized U.S. military as peacekeeping force goes hand-in-glove with the demise of the cold war's enormous standing Army. But if the Pentagon is selling the notion that its mission is changing, we don't have to buy it. "Do you call Grenada, Panama and the gulf war 'peacekeeping'?" asks Hunt.

Separating equal opportunity from military might is difficult for feminists with a global perspective. Can we be proud that a woman pilot might in the future strafe fleeing Iraqi women and children on a mop-up mission? Enloe is concerned that the only position on women, combat and the military being articulated is the equal-opportunity view. "The worrisome narrowness of the debate and the silence of U.S. antimilitarist feminists have a powerful effect [on] other countries." She says that, thanks to Cable News Network, U.S. women soldiers were a major story in NATO countries like Italy, Canada, Britain and Germany, where the issue of women and combat is a salient one. Italian women, who cannot join the military, will hold a conference in November, says Enloe. "They're trying to figure out what Italian feminists should be thinking about militarism."

The current House-Senate negotiations on their bills to remove combat restrictions for women pilots offer another opportunity to examine the issue. Barriers to advancement for women who choose a military career should and probably will be dropped. Perhaps that will be the bone Congress tosses to women, instead of securing abortion rights and restoring welfare cuts.

But those whose vision of feminism extends beyond career trajectories to the search for wholeness inextricably tied to justice need to say there is another perspective on citizenship, valor and patriotism. A first-class female citizenship is founded on serving people, not destructive foreign policies. Let's not get so tangled up in yellow ribbons that we forget the connection between the battles women wage domestically to feed themselves and their families and a ravenous military machinery that swallows nations whole. □

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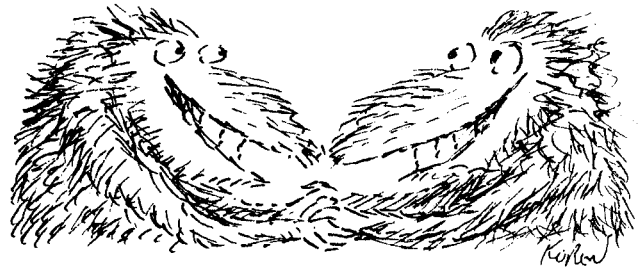

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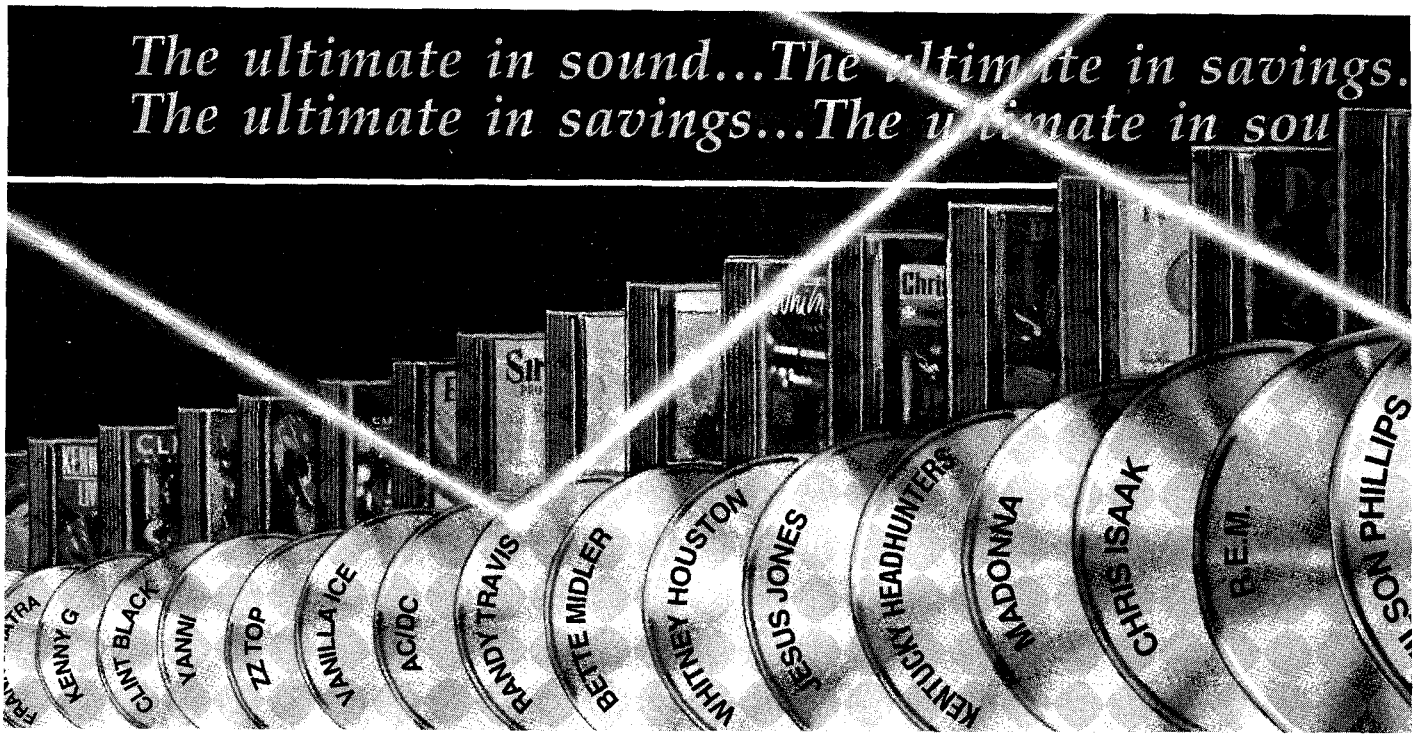

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MARTIN GARBUS

MAKE NO LAW: The Sullivan Case and the First Amendment. *By Anthony Lewis. Random House. 354 pp. $25.*

Over the centuries no document has afforded dissent as much protection as the U.S. Constitution and its First Amendment. Despite its flaws, the Constitution remains one of the profound American contributions to Western thought.

Free speech and the Constitution are the subjects of Anthony Lewis's fine book *Make No Law*, which recounts the dramatic events that led up to *New York Times v. Sullivan*, the precedent-setting 1964 Supreme Court case that established the law of libel in its present form. Lewis comes to his subject with impressive credentials. He covered the Sullivan case for the *Times* and spent years reporting on the Supreme Court. He is also the author of *Gideon's Trumpet*, a huge best seller about another important constitutional issue—the right of a defendant to legal counsel in court. While *Gideon's Trumpet* was built around the life of a man, *Make No Law* is built upon the life of an ideal. It must have been a much harder task to tell this story in a compelling way, yet I have never read a livelier book of constitutional history.

The facts of the *Sullivan* case are simple. L.B. Sullivan, a Montgomery, Alabama, City Commissioner, filed a $500,000 libel action against the *Times* and the writers of an advertisement the paper ran which charged unidentified white officials with unleashing a wave of terror against blacks. Sullivan claimed the "biased" *Times* published the ad in full knowledge that several "libelous" facts it contained were false. An Alabama jury gave Sullivan every penny he asked for. The *Times* feared, with good reason, that it would be forced by this and similar lawsuits to halt its circulation in the South. So the newspaper appealed to the Supreme Court, which in March 1964 reversed the judgment.

In *Sullivan*, the Supreme Court majority opinion, written by Justice William Brennan, held that to prove libel, a public official must demonstrate that the allegedly false statement has been published with "actual malice," that is, either "with the knowledge that it was false" or in "reckless disregard of the truth." In his concurring opinion, Justice Hugo Black went even further. He asserted that free speech included the right to make any statements—even intentionally false ones—about the public duties of a public official. He believed that the threat of money damages—more than the possibility of criminal penalties, including jail—would stifle criticism of public officials.

Officials have more access than most citizens to the means of communication.

Lewis is an admirer of both Justices Brennan and Black, but he too easily dismisses Black's opinion as not sufficiently concerned with damage to reputation. In so doing, Lewis also fundamentally takes issue with Black's First Amendment position. While Brennan, acting as a compromiser, did not directly address larger moral and social issues, Black did. Black asserted that any decision about free speech, whether it concerned libel, revolutionary talk, obscenity or flag burning, has wide ramifications.

Surely Black's views about libel have been vindicated since *Sullivan* was decided. Over the years, the *Sullivan* rule has failed to give government critics the freedom promised by the First Amendment. There has been an explosion of lawsuits against the media. In the past decade alone, juries have awarded damages exceeding $1 million in more than forty cases. And the extraordinary legal costs incurred by libel defendants have often terrified editors and publishers, encouraged self-censorship and restricted the flow of information to the public.

I suppose I accept the necessity for Brennan's *Sullivan* compromise. Lewis analyzes the first and last draft of Brennan's opinion (he includes them both in appendices) to show the Justices' thought processes and how much (in his judgment) was possible, given the times and the composition of the Court. Nevertheless, the logic behind the "malice" provision—that without it the libeled government official cannot defend himself—is nonsense. Public officials have greater access than most private citizens to the means of communication. And contrary to the views of nearly every Supreme Court Justice today, even a false statement may be deemed valuable to public debate; since, as John Stuart Mill reminded us more than a century ago, it can bring about "the clearer perception and livelier impression of Truth, produced by its collision with error."

The legal profession has not been shy about offering advice on how to stop the proliferation of libel suits. One proposal, for example, seeks a law that would require an appropriate correction in an offending newspaper as an acceptable substitute for damages. It is difficult, of course, to decide what is "appropriate" or "acceptable." Other suggestions focus on the role of the jury. One would eliminate awards of punitive damages (as distinct from compensatory damages) on the ground that the Founding Fathers never envisioned that a jury or judge would render an award large enough to drive a publisher out of business. Another would eliminate compensatory awards for "mental anguish" since the objective evidence of such damage is seldom available. But none of these proposals really do the job, and Lewis doesn't explain that courts and legislatures simply will not pass or enforce laws that favor the press in its disputes with public or private figures.

Justices Black, William Douglas and Arthur Goldberg believed that only by granting the press absolute freedom to criticize public officials regarding their public duties could justice be done to the language and meaning of the First Amendment. Lewis does not accept this argument, even though he knows that juries in libel cases often arrive at results in mysterious ways. If jurors do not like a media story, they can find malice easily enough to convict the author and his employer. And because the law places no limits on the amount of money damages that can be awarded in a libel case, juries can ultimately shut down the press.

Although *Sullivan* is the focal point of his book, Lewis appropriately reaches back to a much earlier Supreme

Martin Garbus is a leading constitutional lawyer and the author of two books on free speech.

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Court decision to explain how free-speech concepts developed in this century. That case involved Charles Schenck, a socialist who published and distributed leaflets criticizing the draft during World War I. Indicted under the Espionage Act, he faced twenty years in jail, even though there was no proof that anyone refused to fight because of Schenck's statements. Tried and convicted, he received a six-month sentence; he appealed and lost.

Writing for the Supreme Court majority to uphold Schenck's conviction, Justice Oliver Wendell Holmes rejected the claim that freedom of speech was entitled to special judicial protection. Holmes stated that speech could be criminally punished when the words in question caused a "clear and present danger" to the state. That is a legal standard that sounds as if it gives some protection to the government's critics, but like *Sullivan* it is in fact so vague that it has given juries and judges the latitude to punish whatever speech they do not like.

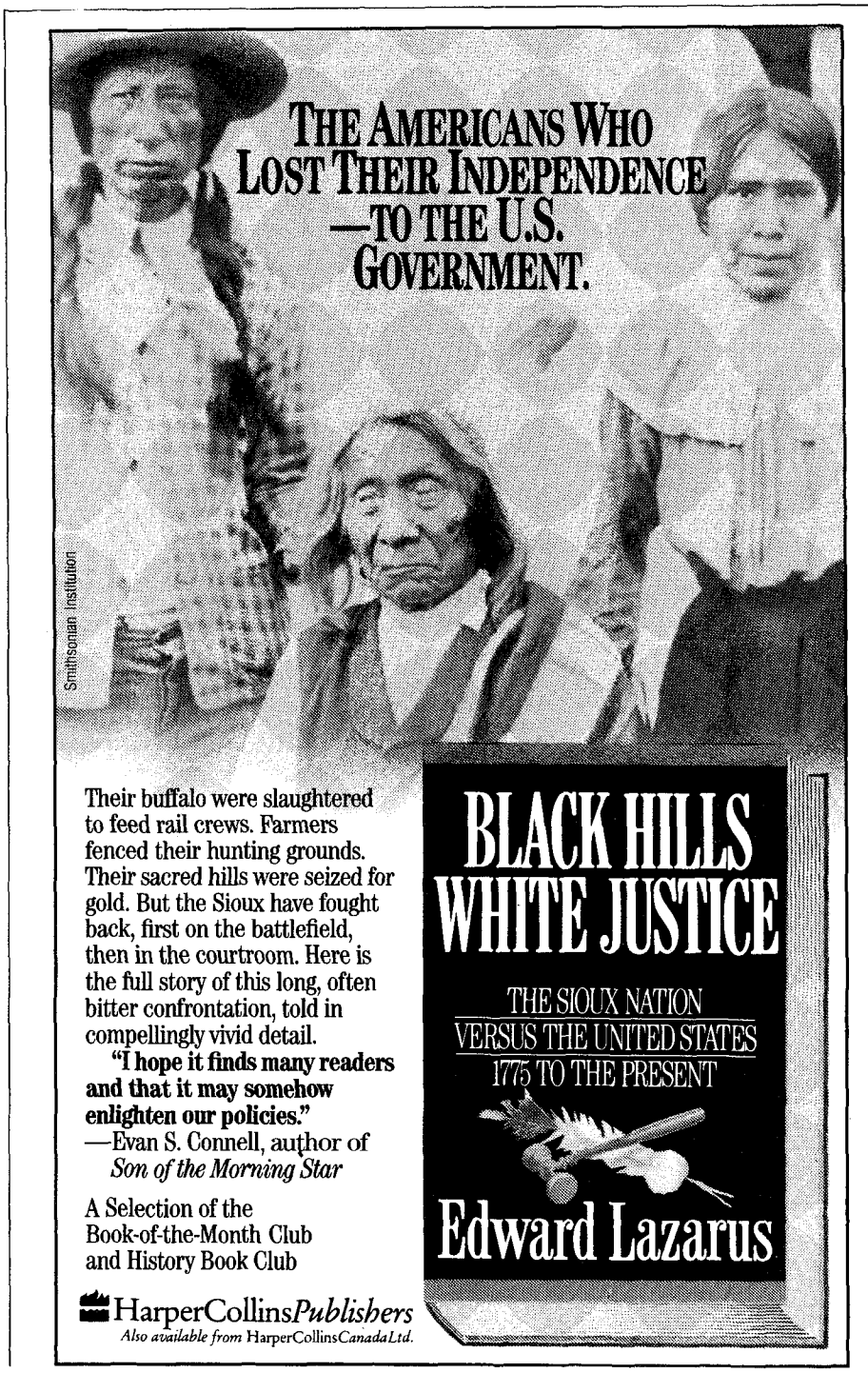
As Lewis points out, the enduring metaphor of *Schenck v. U.S.* comes in the following celebrated sentence by Holmes: "The most stringent protection of free speech would not protect a man in falsely shouting fire in a theater and causing a panic." Those powerful words have affected free-speech law and thinking ever since, and Lewis is not sufficiently critical of them.

The false shout of "fire" in a crowded theater and the production of controversial pamphlets are two totally different actions. There is no social value to creating panic in a theater. Nor is there any social value to a legal theory that says no speech can be punished. But there ought to be no question that an audience has the right to hear words critical of the government, regardless of whether they are true or false.

Holmes's metaphor compels the mind not by logic but by direct appeal to the emotions: the horrifying image of panic-stricken theatergoers rushing for the exits in darkness and confusion, the weak falling under the stampede of the strong. It is easy to see how readily these nightmarish visions can be used by jury and judge alike against a despised political defendant. Ever since *Schenck*, images of flames and metaphors casting dissent as arson have roared through free-speech cases.

Over the years, Justice Black's First Amendment views led the Supreme Court to reject the opinions expressed by Holmes in *Schenck*. But the majority of the Court never accepted Black's notions of free speech. And in the legal community as a whole, the so-called absolutist position of Justice Black has been so often distorted that it seems ludicrous. Lewis himself does not do it justice. For example, Black never said that no speech can be regulated. He recognized that speech can be a form of human action, and thus subject to regulation, in much the same sense as brandishing a knife or shooting a gun. Criminal statutes properly punish the inciter of riots, the con artist who uses words to commit fraud, the man who threatens murder. But Black also believed that too many Americans are frightened by ideas rather than challenged and stimulated by them; that too many of us fear and hate the questioning of conventions.

When *Sullivan* reached the Supreme Court, it was clear that libel law as it then existed was not working. Lewis points out that because of the uproar over civil rights among white Southerners, public officials threatened to use juries and judges to hold the press hostage. Today, although the nation has changed in many ways, the situation of the news media in some respects has not. Because of the way the Burger and Rehnquist Courts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have diluted the impact of *Sullivan*, we are once again seeing huge awards levied against the media, and we see once again that the Supreme Court must face the issue.

If James Madison, who drafted our First Amendment two centuries ago, could watch jurors in libel and other free-speech cases explaining to television interviewers how they decided the fates of the defendants, he would probably be horrified. The political, social, racial, sexual and other prejudices of jurors must not be allowed to defeat the principles of the First Amendment. The right to prevent this from happening—to which Anthony Lewis makes an important contribution—honors both the Founding Fathers and the documents they drafted. □

ART.

ARTHUR C. DANTO

Georges Seurat

The calligrapher Chiang Yee once told me of an instructive conversation between a famous painter of bamboos in China and a collector who coveted the artist's work. At last the painter yielded to the collector's pleadings, but used the red ink Chinese artists employed for their seals. The collector, pleased and displeased, asked the artist where he had ever seen red bamboos. The artist asked the collector where he had ever seen *black* ones. The forms of drawing are generally expected to match the forms drawn, though there are elasticities of correspondence that allow for expression and distortion. But the color of the drawing medium is rarely referential in its own right: At best the relationship of darks to the lights provided by the drawing surface answers to the relationship of shadows to lights in the motif. So in principle the artist may draw in any color he or she chooses, red being no more or less referential than the conventional black of ink. Why it is that black-and-white photography seems more natural to us than, say, the greens or blues or red of rotogravure may have to do with visual convention, or perhaps a desire for sharper contrasts when older photography aimed for nuanced gradations to parallel the rival art of painting. Western artists have used red crayon or sepia ink without raising questions of where they might have seen red nudes or sepia trees. Georges Seurat drew, all but invariably, in black Conté crayon, but in such a way that for once the color seemed referential: The world he drew was a black world; were he to have painted that world the way he drew it, the paintings too would have been black.

I don't mean simply that the drawings are, for example, of black drays drawn by black horses past the black trunks of bare trees; or of people huddled in black vestments, their faces shadowed under black hats and bonnets; or of the black arms of a drawbridge extending against the lowering sky while black water melds with heavy shadow; or of black tugs coursing along pale rivers under black clouds; or of a black locomotive puffing black smoke into the barely lighter sky—or just of blackened buildings stark against the night sky. These are descriptions of what Seurat composed in the characteristic and astonishing drawings he did in the early 1880s, descriptions consistent with the way those drawings look. Rather, what I mean is that these vehicles and animals, groups of people or individuals, buildings, trestles and trees would have looked black in reality no matter what color they had been drawn in: They look as they would if seen at twilight, or at night, or on bleak late afternoons, or perhaps in rain, where the objects picked out by whatever light there is look like their own shadows. It is a black world because it is a nocturnal world, one in which things are seen as dark masses with all interior detail obscured, and there would be no way of knowing, under those conditions of seeing, what their natural colors really were or what their distinguishing features might be. What one is conscious of in the drawings is the heavy crisscross of crayon lines, black against black upon black, until the object seems to be a solid mass whose identity is hard to read: bush or squatting man? pile of leaves or signboard or wagon? And then, by some adjustment of the eyes, as it were, a form begins to emerge—a wheel, a hayrick, a horse. And suddenly the whole shape acquires a structure, and one can see that certain touches and irregularities answer to the object's features and realizes that one is looking at a drawing of astonishing power, which had appeared, until the revelation of the feature that transformed what had seemed accidentalities into further features, like a dense scribble or a sustained smudge. Now, it is the very body of a horse, but if one had not made out that head, the body would have remained merged with the dark of the wagon into

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an abstract composite of lines, some darker than others, and patches of untouched or barely touched white paper.

One can imagine these remarkable drawings translated into paintings, which would be as black and light as the drawings themselves are, with perhaps a touch of color here or there. They would, however, not look like the paintings Seurat was doing concurrently with those drawings, which were, in the main, Impressionist landscapes with the daubed surfaces of the time, and sunlit colors, more or less. The dabs are a bit heavier, clumsier even, than Monet or Sisley would have made, and at the time one would have judged them the work of a younger painter with Impressionist ambitions who had as yet not found the way to make the colors dance or the brush dart: Seurat was only in his early 20s. But there in fact was no way to transform the way he drew shapes and forms into the daubed and dotted areas of the standard Impressionist canvas, and I am inclined to say that there did not exist a style of painting in 1882 that would have enabled Seurat to paint the way he drew. One would need, in fact, something like Abstract Expressionism for that, where the artist might use a heavy brush to pull a stroke of pigment across the canvas and at once shape it to form the internal energy of a horse, a man, a van, a house, a river, sky, water, trees. Seurat never got into his paintings the visceral urgency of his drawings, and if in his mature style as a painter his works have a certain mystery, it is a mystery of a different order—a mystery of light rather than of darkness. I am not sure he even tried to paint in the direction to which the drawings pointed, but the existence of these drawings must complicate the picture we have of Seurat as a chilly geometrist, a chromatic engineer, a scientific placer of bitsy dots, an advocate of optical mixture of colors rather than the chemical mixing of pigments, as obsessed by the logic of color as Paolo Uccello is legended to have been possessed by, almost drunk on, the logic of linear perspective.

Uccello, Vasari writes, "would have proved himself the most original and inventive genius ever devoted to the art of painting, from the time of Giotto downwards, had he bestowed but half the labor on the delineation of men and animals that he lost and threw away over the minutiae of perspective." These studies, Vasari continues, "are meritorious and good in their way, yet he who is addicted to

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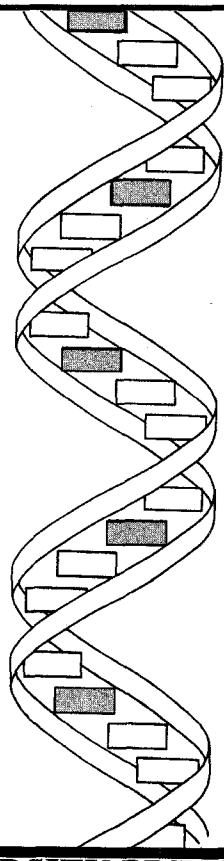

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them beyond measure wastes his time, exhausts his intellect. . . . Nay, whoever bestows his attention on these points, rather than on the delineation of the living figure, will frequently derive from his efforts a dry and angular hardness of manner which is a very common result of too close a consider[ation] of minute points." This happened in some measure to the artists who followed Seurat, thinking he had found the truth of scientific (as against "romantic") Impressionism, and believing, in terms not only of the Positivism of the age but in the tradition of painting itself, that it was imperative to be scientific everywhere and in all endeavors of life. It is a tribute to Seurat's genius that this did not happen to him, in spite of the rigidity of his theories and the mechanism of their application, and the temptation to take on tasks of virtuoso complexity. In *Les Poseuses*, for example, he depicted three models in various poses in front of his great work *Un dimanche à la Grande Jatte*. The latter painting, of course, is a demonstration piece of *pointilliste* theory, and *Les Poseuses* is a *pointilliste* work as well. So in it Seurat has undertaken to do a *pointilliste* painting *of* a *pointilliste* painting—a complex exercise of double-dotting that bears comparison with doing a perspective drawing of a perspective drawing, geometrizing geometry. It is a blessing that an artist who met so early a death did not then undertake a *pointilliste* painting with *Les Poseuses* as the picture within the picture! In fact *Les Poseuses*, like the *Grande Jatte* itself, transcends its technology and shimmers like a mystery within the drizzle of its painted dots, just as Uccello's great works transcend the earnest labor of drawing rearing horses in strict perspective as if a road in a classical landscape. Still, great and evocative as these two masterpieces of Seurat's are, they achieve their power in a way that bears no continuity whatever with that of his great drawings. It is, despite the vast difference between evoking forms through dots of color and achieving form by gestural scribbles, not quite as if Seurat were two artistic personalities in a single soul. But one has to probe a bit to see what the two efforts have in common, and probe even further to see what unites the *Grande Jatte* into a single corpus with the last paintings of circuses and night halls, while setting the entire body of Seurat's works off from those of his *pointilliste* emulators like Signac or, for a misguided period, Pissarro, who rather ideologized Seurat's painting technique.

I think that what the drawings convey is an air of mystery. The viewer's difficulty in making out the forms is the visual counterpart to making out the meaning of the scene, once clarified in its inventory. One drawing is bisected by a stand of skimpy trees, which cast their shadows forward, toward the spectator, but in such a way as to leave it ambiguous whether some form in the foreground is not outlined instead. To the left is a jumble of black forms that reveals itself, tremulously, as a horse, facing us, with a cart on immense angled wheels behind it. No human being is in sight, or it is uncertain as to whether a few lines and strokes represent a person or not. This is not an observed rural scene but a poetic evocation of a landscape that hovers on the borderline between emptiness and uncanniness. The waning light and the waiting horse transmit a meaning like carriers of some unexplained symbolic weight. In one scene a dog lies in companionable stillness alongside a tilted carriage, but not as if there were some genre scene intended, with dog and empty vehicle. The carriage is evoked against an uncompromising black while the dog lies in a pool of light of inexplicable provenance; the animal and conveyance seem connected by a sympathy as strange as it is palpable. In yet another drawing, an urban couple is blacked in against a luminous sky, he with a cane, she with a parasol, as if strolling through a landscape—but there is also a plowman emerging with his horse out of the shadows, cutting across their path. Some scholars seek to rationalize this image by saying that it is in the 1880s and that the suburbs are reaching into the countryside. In fact there is something strange in the juxtaposition of two orders of being who haunt each other's dreams. It is almost surrealistic.

Perhaps the methodical application of dot upon dot was a way of keeping one's head.

In the Surrealist Manifesto, André Breton claimed that only three artists in history had attained a truly surrealist vision of things: Uccello and Seurat, and Gustave Moreau. Breton's well-known definition of surrealism says that it is the purpose of the movement to "resolve the

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previously contradictory conditions of dream and reality into an absolute reality, a surreality." The nocturnal quality of Seurat's drawings, in which dark forms are haloed within an enveloping darkness, seems almost precisely captured by that formulation, with their uncertain identities and their portentous juxtaposings. But the quality of dream penetrates even the paintings, which in every other respect are the drawings' obverses: light rather than dark, defined rather than indeterminate, painstaking rather than passionately realized, scientific, if you wish, rather than romantic. Consider *Les Poseuses* once more. How like a dream the painting finally is when one thinks of the strangeness of there being three models, in various stages of undress. Why three? Why not one model, capable of taking the three poses successively? (Roger Fry, in an early appreciation of the work, sees it as the same model in three distinct poses.) But why not instead see it as the pictorial representation of "I dreamt there were three models in my studio. They began to undress and to enter the *Grande Jatte*. Or perhaps they walked out of the painting and into the studio, where they began to take off their clothes"? We see the two seated models with their hats and skirts, their gloves and their parasols spread out around them. In the painting, we see also a seated woman, *her* hat and *her* parasol placed beside her on the grass. It is as if the nude women are what was suppressed in the *Grande Jatte*, or whose erasure was the price the bustled figures had to pay for the bourgeois decorum of their Sunday stroll amongst regimented shadows. And we may now, all at once, see the *Grande Jatte* in a new way, with its figures distributed like animate Euclidean solids in Breton's super-reality, an atmosphere of golden clarity like a block of crystal, or of champagne somehow frozen. Even the puffs from the promeneur's cigar seem frozen, comically and impossibly. Everything is observation hybridized by symbol and sublimated by dream. And that we do not find in Signac or in Pissarro, who thought what they got from Seurat was a method, underwritten by physics, optics and chemistry, for rendering the chromatic surfaces of the real!

Neither *Un dimanche à la Grande Jatte* nor *Les Poseuses*—nor, for that matter, *Une Baignade*—are in the retrospective exhibition of Seurat's work on view at the Metropolitan Museum of Art in New York (until January 12), though we have versions of the first two and studies for all three. The immense advantage of not having their intimidating presences is that we can study the drawings, which are their artistic equal, and come better prepared the next time we see the paintings in their various shrines. The drawing style changes with the *Grande Jatte*, in that the figures are more severe and geometrized, and the crayon detaches them from the paper which gives them their vibrancy and life by smooth gradations. I love a study of the park from which everyone has left, as if specters, leaving behind as solid reality only a solitary black dog, sniffing the ground, its grayed legs almost merging with the grass. What nothing will have prepared us for are the strident last works, of prancing dancers and menacing clowns in the Parisian night-town of the imagination, which stand to things Seurat may have observed as his painting of promeneurs and bathers stands to what he may have observed before he transformed them into mythologies. I know of no figure in art to compare with the hooded clown, who looks like a figure from the Inquisition, playing the trombone over the heads of spectators who have formed a line to enter the gaslit interior of the circus behind the sideshow, accompanied by the music and by what one supposes must be the patter of an evil boy in white ruff and pointed forelock. The musicians behind the frightening trombonist look like mechanical dolls, the predominant colors are black and orange—a Halloween palette—and it is hard to suppress the feeling that the foolish crowd is being marched into Hell. A satanic figure in florid mustaches stands with his back to them. He is a figure who appears and reappears in these paintings—as the bandleader in *Chahut*, as the ringmaster in *Cirque*, perhaps as the masculine figure in the dominant couple at the extreme right hand of the *Grande Jatte*. Because he is a recurring type, like someone who keeps appearing in one's dreams, it is difficult to suppose he is to be explained in terms of a person Seurat happened to have observed. I have no interpretation to offer, but I find it striking that the walking stick of the *Grande Jatte*, the staff of *Circus Sideshow*, the baton of *Chahut*, the whip in *Cirque* seem to be transforms of one another. I am also struck by the transformation that takes place in the representation of the human figure, from the dilating, smoky beings of the drawings through the geometroid figures of the *Grande Jatte* to the marionettelike precisionist dancers of *Chahut*; and by

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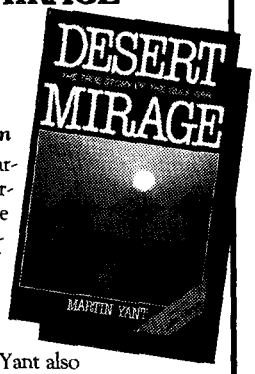

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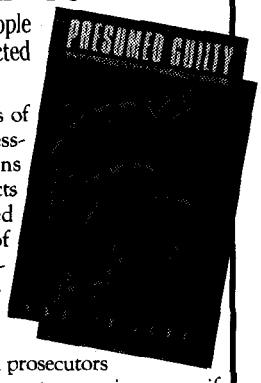

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how the first figures barely have faces, while the second generation have faces but no features, and the final generation, in these paintings of the late eighties—Seurat died in 1891—are like masks, or cartoons of faces, grotesque and empty and possibly evil. In a way, Seurat's art approaches the idiom of the poster; it is as though he took from the posters that advertise the forms of entertainment shown in these pictures—which publicize the Divan Japonais or one or another of the circuses of Paris—a way of representing the people who inhabit these places, who look like their own advertising images. I find it fascinating that Seurat greatly admired and collected the work of the poster artist Jules Cheret. The *pointillisme* of these final, theatrical works seems somehow willed and thematically irrelevant. Or perhaps the tension between the methodical application of dot upon dot was a way of keeping one's head when depicting the wild cancan kicks of the dance hall and the crazy world of the circus.

Oddly, *pointillisme* does not seem irrelevant to the landscapes, which I have left untouched. Nor does it seem irrelevant to the strange and moving portrait of Seurat's mistress, shown in the kind of undergarments that went with gaslight, powdering her face. Her ornamental mirror and her tiny makeup table are her attributes, as if he had to depict her as he would a saint with *her* attributes. She is a *femme forte*, as the French would say, and I find the catalogue contemptible for supposing that Seurat must be ridiculing her for her proportions. One somehow feels as if the touches of paint re-enact the touches of the powder puff as she endeavors to make herself beautiful for him, and that between subject and style there is a true sympathy. She was pregnant with their second child when he died, abruptly, at the age of 31. It is impossible to imagine what he would have done had he lived on, particularly since everything he achieved was surprising against the background of what he had already achieved. Everything about him was a mystery, and remains one. For all I know, the insistence upon being scientifically correct was the necessary correlative for a mind drawn to fantasy, dream, illusion—the vaudeville side of the mind. □

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STUART KLAWANS

My Own Private Idaho
The Double Life of Véronique
Homicide

Everyone seems to have a favorite image from *My Own Private Idaho*, and all of them are different. Some people talk about the old house that crashes down from the sky, just as a young street hustler named Mike (River Phoenix) reaches orgasm with a john. Others prefer the shot of the same house standing in a field, with clouds tumbling and swirling overhead—a dream image that comes to Mike when he's had one of his attacks of narcolepsy. There's the blued-out home-movie footage, which shows us how Mike recalls his vanished mother; the magazine rack full of gay men's pornography, in which Mike and his friend Scott (Keanu Reeves) turn into living cover-boys for *Male Call* and *G-String*; or, the most purely intuitive shot of all, the slow-motion image of salmon diving upstream through silvery rapids, a picture that has no narrative significance at all but tells us everything about Mike's sense of urgency and futility, his situation as a creature of instinct somewhere in the American West.

It's a sign of Gus Van Sant's generosity as a writer and director that he provides so many potentially favorite visions; a sign of his discretion that they don't overwhelm you. *My Own Private Idaho* is a deeply moving film about unrequited love, abandonment, poverty and loss, realized with a gaiety of invention and a lightness of touch that would do Lubitsch proud, or Mozart. Those leaping salmon, for example, are struggling upstream to spawn and die, and yet they hang in the air as if weightless. When the old house gives in to gravity and drops to earth, you laugh to see it go splat.

As for Mike's collapses, they're as much funny as frightening. He's liable to fall down anywhere and start dreaming, which accounts not only for the startling imagery of *My Own Private Idaho* but also for its fractured narrative. Mike will go to sleep in Seattle and find himself in Portland when he wakes up—which doesn't seem to bother him that much, since his life, made up of a succession of johns, is already pretty random. His only sense of continuity comes from vague memories of a house and a mother—that, and his love for Scott, the rich boy who doesn't have to hustle but still lives on the street.

Scott, who is as sleek and well groomed as Mike is grubby, makes love to men but denies being gay; he calls a magniloquent local bum his true father but shows him no more loyalty or respect than he does his biological parent, the mayor of Portland. Scott is a Prince Hal figure, slumming for a while before laying claim to a life of privilege. The bum (William Richert) is his Falstaff, and Mike, now and then, takes on the role of Poins. All this would have been clever enough, had Van Sant been content to leave the parallels implicit. Instead, he fitfully interrupts the picture with ten or twelve minutes of howlingly bad pseudo-Shakespeare. All at once the actors, disregarding Hamlet's advice, begin to saw the air with their hands and split the ears of us poor groundlings. What's worse, the film becomes predictable. Whereas a moment before you'd been holding on for the next revelation, you're left waiting for some familiar episode, such as the Gad's Hill robbery, to play itself out of its misery.

I'm told these Shakespearean interpolations don't grate so much on a second viewing, and even on the first you can wait them out. Excuse them; but also notice how they point to a curious feature of Van Sant's work. Here and in his previous films, *Mala Noche* and *Drugstore Cowboy*, he's been drawn to outcasts, whose lives he dramatizes in unsparing, convincing detail. The content is gritty, but the images are slick. Van Sant did some of his earliest work on Madison Avenue, and he still has the adman's trick of flashing you quick, instantly memorable pictures. This attention-grabbing quality in his work, its graphic clarity, sets Van Sant apart from other artists in his tradition. The pictures in his new road movie are studied and formal compared with Robert Frank's photographs of the American road. Compared with Kerouac's benzedrine-propelled narratives, Van Sant's are models of structural decorum. I mean this as description, not criticism. All the same, you can see the limits of Van Sant's style in the Shakespearean sections of *My Own Private Idaho*, which pop up and disappear again as if someone were playing with a remote control. It's a TV baby's aesthetic.

What redeems Van Sant is the anger that keeps breaking through those slick images, his desire to take a stand with the Mikes of this world and not the Scotts.

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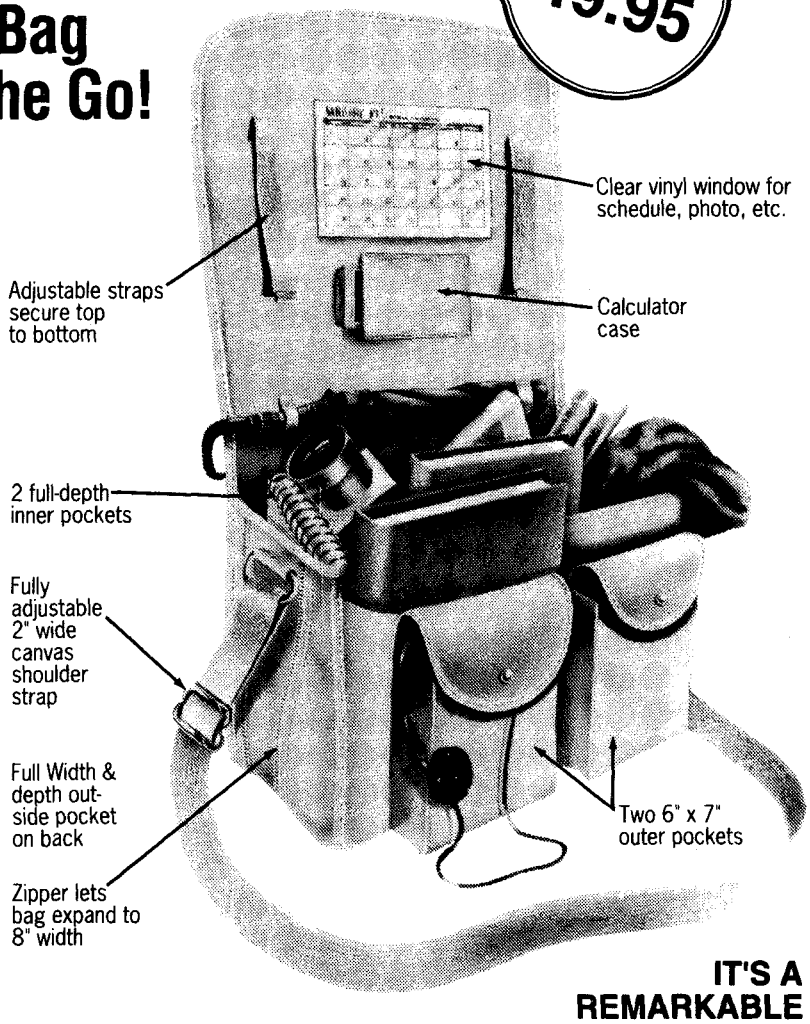
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If Van Sant can bend Madison Avenue's techniques toward that purpose, fine—and it's even finer that he's meanwhile twisted the public images of a whole series of teen idols. Matt Dillon gave the best performance of his still-young career for Van Sant in *Drugstore Cowboy*; Reeves and Phoenix do the same in *My Own Private Idaho*. In Reeves's case, the portrayal is more of a star turn, which is appropriate for Scott's character. Even in his most intimate moments, he has a late-adolescent self-consciousness. Phoenix, on the other hand, plunges into the role of Mike with a recklessness that's almost shocking. He's so deep inside the character, you feel he'd do anything—sleep on broken glass, set himself on fire—and not even notice the camera was rolling.

Here, then, is my own favorite image from *My Own Private Idaho*: Mike has fallen unconscious once again, and Scott is cradling him in his arms, mimicking the pose of a Pietà. The scene is a park, in front of a statue; the figures are out of the frame, but you can see the base of the statue, with a title carved into the stone. It hangs over Scott and Mike like a caption: "The Coming of the White Man."

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My Own Private Idaho was among the features at this year's New York Film Festival, which opened with the equally visionary but much less gritty new film by Krzysztof Kieslowski, *The Double Life of Véronique*. My informal poll after the screening found the audience was split, fifty-fifty. At first, it seemed that women liked the picture and men did not; but since I'm too old to rethink my sexual identity, I decided the defining issue was not gender but whimsy. Unless you're willing to entertain a hypothesis just for the hell of it, stay away from *The Double Life of Véronique*. If you do feel you've got two hours to devote to pure what-if, read on.

What if a young woman in Poland and a young woman in France were connected, not by family or circumstance but just by feeling? Without even knowing of each other's existence, they sense they're not alone. This is, of course, the stuff of E.T.A. Hoffmann's tales; and like one of his amusing but dark doppelgänger stories, the film proceeds without the benefit of everyday logic, developing a narrative through mood alone.

What if the woman in Poland (Irène Jacob) were for some inexplicable reason a happy person? All sorts of things are wrong in her life: Her career is uncertain, her boyfriend troubles her and Poland, after all, is Poland. But when we first see her, she's giving off 1,000 watts of joy.

What if the woman in France (also Irène Jacob) were basically unhappy? She seems to have a wonderful career at her command—like the other Véronique, she's a musician—and her material circumstances are as lush as any Polish filmmaker could fancy, casting his glance to the West. Even so, she's unhappy.

What if the Polish Véronique could somehow influence the French one? And what if the French Véronique then experienced another episode of long-distance affinity? What if she fell in love with a man without having met him?

If all this make-believe has a point, it's that so much in life really does depend on nothing more substantial than a guess. Maybe you've fallen in love carrying a list of reasons in your hand; I never have. So as a confessed fool, I'm grateful that Kieslowski has set off on the fool's errand of photographing a hunch. Never mind that the images, setup by setup and cut by cut, are as enthralling as anything you can find in film today. (They're richly layered and full of subtleties to discover, as deeply mysterious as Van Sant's are graphic.) What's important is that Kieslowski spends an entire film focusing on an intuition, as if he could catch a ray of sunlight and carry it away.

Admirers of Kieslowski's *Decalogue* series—ten hourlong films, one for each commandment—will already be familiar not only with his maximalist style but also with his fascination with the invisible, his practice of setting up odd links across time and space. In *Decalogue*, characters from one film would pass through another, bringing hints of other meanings into the scene before disappearing again into their own stories. An angelic witness showed up in various guises, sometimes sorrowing over the characters, sometimes looking flabbergasted by them. Most puzzling of all were the connections between Kieslowski's stories and the commandments they addressed. "Thou shalt not kill" was dramatized in a straightforward enough manner—so straightforward that when I saw it, a third of the audience walked out in horror. But you had to use some imagination to pin Kieslowski's stories onto "Honor the Sabbath day" and "Thou shalt not take the Lord's name in vain."

Now, in *The Double Life of Véronique*, the underlying texts have vanished altogether. Nothing is left except the tenuous connections, the way of seeing. Some viewers have felt that leaves nothing at all—and I can't argue. But if you're willing to try the film, you might find there's substance after all in the near-meeting of the two Véroniques. The Polish one spots the French in a square in Cracow, getting into a bus full of tourists. A demonstration is in progress; protesters are running by, police sirens are screaming, but the Polish Véronique suddenly finds herself pulled out of their reality. For a moment, something much more important is happening to her, and though she doesn't understand it, she's rapt.

How do I, as a Jew, feel about David Mamet's new film, *Homicide*? I'm conflicted, what else?

Joe Mantegna plays Bobby Gold, a police detective who's discovering his Jewish identity the way Michael Spinks discovered Mike Tyson's left hand. Five minutes past the opening credits, a politician—a black man—addresses Gold as "kike."

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(Gold's immediate response: He calls the politician a faggot.) Soon after, Gold asks another cop to go easy on some poor idiot in custody—it's the Jewish thing to do—and as his reward gets knocked on the head in an escape attempt. "What did I ever do to you?" Gold yells, astonished at this betrayal. "I stood up for you!" But the lump on his head is nothing, compared with the payback for his next act of charity.

Having stopped to help an officer in trouble, Gold winds up in charge of investigating the murder of an old Jewish woman who ran a little store in the black ghetto. He might as well handle the case, says the captain (a black man)—Gold knows how to deal with "those people." Right. As soon as he's among them, those people start belaboring Gold about anti-Semitism as if he'd invented the stuff. It's useless to protest that he, too, is a Jew. When the investigation takes him into the library, a Kabbalistic schmoozer asks, "You're Jewish and you can't read Hebrew? What *are* you?"

Until this point, *Homicide* races along more smartly than any vehicle Mamet has yet constructed. He's developing a flair for action sequences, such as the F.B.I. shootout that opens the film. What it lacks in spatial clarity it makes up in suspense and brio. Even better is the gleeful little tour de force that delivers Gold to a crime scene by means of a screeching, barely controlled skid. That's what Mamet does as a director to keep things moving. His achievement here as a writer is to have completed the transition from thinking in scenes to thinking in sequences. The action spills freely across locations; an episode may start with Gold in the precinct house and end with him hours later on the other side of the city.

But *Homicide* stalls just when Gold reaches his crisis. You're in the middle of the film; Gold is in the middle of the night; he has to make a decision, when no right decision seems possible. Just the time for Mamet to stop everything and pay tribute to those wonderful old cops-and-robbers movies you used to see on TV in the fifties. The plot suddenly has nothing to go on except for coincidences and eavesdropping. The pace slows; the mood changes from tragedy to melodrama—a conspiracy theorist's melodrama, at that. Gold is supposed to be confronting his isolation as a Jew, his sense of victimization and wounded manhood. What he actually faces is a cabal right out of the *Protocols of the Elders of Zion*—which gives Mamet an embarrassingly lurid way to dramatize Gold's feelings without having to bother with resolving them.

Mamet is far too good a writer to stay lost for long; by the end of *Homicide*, he's recovered both the mood of tragedy and the specific element of black-Jewish antagonism that sparked the film at its beginning. Still, I can't help feeling that Mamet, usually one of the bravest writers we have, has backed away from the subject.

As one of his characters would put it, that's all right. I bet he tries it again, the hard way.

Screening Schedule: With the closing of Frank Rowley's Biograph Cinema, the revival house comes perilously close to being extinct in New York City. Rowley has proved himself to be resilient in the past, so maybe he'll find a way to continue in some other space. Meanwhile, repertory programming has become almost exclusively the domain of the not-for-profits: Film Forum, the Public Theater, Anthology Film Archives, the American Museum of the Moving Image, Asia Society, Japan Society and (very soon) the new movie theater for the Film Society of Lincoln Center.

So my advice is, turn off your TV set, get out of the house and see movies the way the Lumières intended them to be seen. For those of you in the New York area, two series at the Museum of Modern Art might prove especially worth your while. Now through November 12, MoMA is showing *Vittorio D: De Sica Behind the Camera and on the Screen*, a series of films directed by or starring Vittorio De Sica. A booklet accompanying the exhibition contains essays by the curator, Stephen Harvey, and Gian Luigi Rondi. From November 14 through January 12, MoMA will show *Yiddish Films Between Two Worlds*, organized in cooperation with the National Center for Jewish Film. The publication in this case is ample: an exhaustively researched, lavishly illustrated book by the co-curator of the exhibition, J. Hoberman. It's distributed by Schocken Books, so you can pick up a copy even if you can't get to MoMA for the exhibition. And while you're at it, you might as well get Hoberman's new anthology of reviews and essays, *Vulgar Modernism*, published by Temple University Press. Nobody since Andrew Sarris and Pauline Kael has done more to deepen the way we think about films; and the cover photo of Maria Montez is fabulous. □

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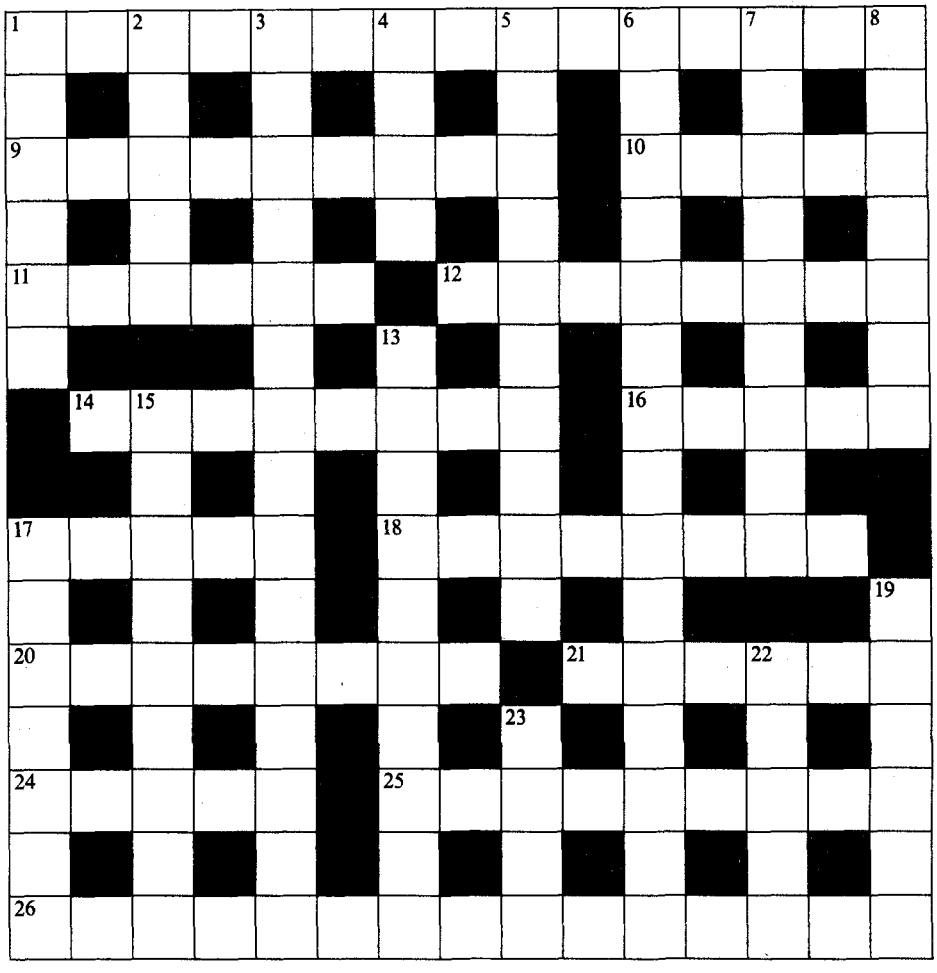

ACROSS

1 People once considered prosperity just. (6,3,6)
9 When what the bidder indulges in is around a list prepared, too much might increase it. (9)
10 Point to a conceited fellow, and shoot! (5)
11 Some people might be held for this, in the destruction of the Romans. (6)
12 The cry of a wolf might be associated with one, and the typical arm is there to show it. (8)
14 Assails rabble so riotously? (8)
16 A burning desire might be ultimately expressed in it. (5)
17 Took part in fact, educed what is obvious. (5)
18 Those you might find wanting in the extreme? (8)
20 If I punched an office machine around it, I'd get put in a slot. (8)
21 One marching to a different drummer was not on foot. (6)
24 Making a profit once more? (5)
25 When one blows up, we hope not to be around. (9)
26 A pet perhaps has the last word, to count how a spoiled one might have behaved. (15)

DOWN

1 and 17 down Reputedly comfy with a buzzing bunch and a porch on a small street. (2,4,2,5)
2 One goes on and on about it! (It's enough to make one cry!) (5)
3 No fan delineates this, possibly, but our forces might be charged with it. (8,7)
4 What a traveler might take in the fall? (4)
5 Some consider them spectacles, but that's what the fussy dishwasher might do rather skeptically. (8)
6 Perhaps a critical comment made on a Washington newspaper, where someone is trying to spot the enemy. (11,4)
7 It might be complex, but not as a flower. (9)
8 With no capital, the English resort to what some Americans consider commendation. (5,2)
13 Make petitions a requisite for making a bloomer. (10)
15 A medium emanation, or just a rare one? (9)
17 See 1 down
19 A path you follow has to start without the slightest sign of enthusiasm! (6)
23 and 22 Evidently one was awarded court costs, with such an offer. (4,5)

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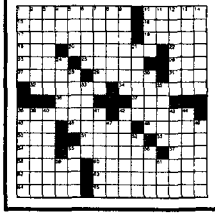

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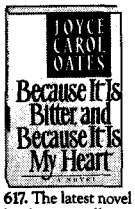

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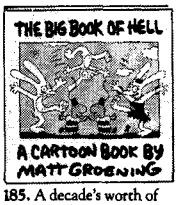

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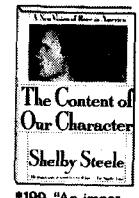

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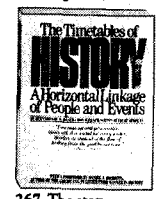

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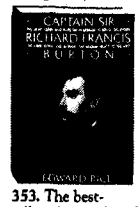

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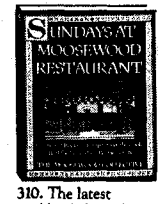

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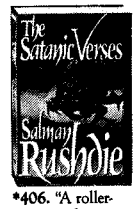

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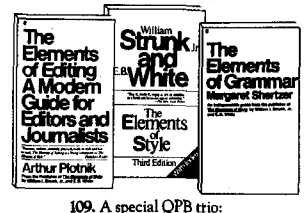
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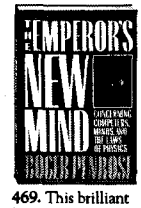

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